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OFFICIAL REPORT

OF THE

DEBATES

OF THE

HOUSE OF COMMONS

OF THE

DOMINION OF CANADA.

FIRST SESSION—SIXTH PARLIAMENT.

50-51° VICTORIÆ, 1887.

VOL. XXIV.

COMPRISING THE PERIOD FROM THE THIRTIETH DAY OF MAY TO THE
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House of Commons Debates

FIRST SESSION, SIXTH PARLIAMENT.—50-51 VIC.

HOUSE OF COMMONS.

MONDAY, 30th May, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

QUESTIONS OF PRIVILEGE.

Mr. BERGIN Before the Orders of the Day are called, I desire to call attention to the omission from the division list on disallowance of railway charters in Manitoba of the hon. member for Glengarry (Mr. Purcell), who voted against the motion of the hon. member for Marquette (Mr. Watson).

Mr. MILLS (Bothwell). Before the Orders of the Day are called, I should like to say—

Some hon. MEMBERS. The hon. member for Glengarry.

Mr. BERGIN. The hon. member for Glengarry desired me to bring this matter before the House, and he can explain it himself.

Some hon. MEMBERS. The hon. member for Glengarry.

Mr. SPEAKER. If the hon. member does not wish to explain, I do not see how I can press him to do so.

Mr. MILLS. I should like to ask the First Minister when we may expect the papers in reply to the motion adopted by this House relating to the resignation of the High Commissioner, relating to the appointment of his successor, and to the object of the late High Commissioner's visit to this country, the time when the residence in London belonging to the country was closed, and who has since occupied it?

Sir JOHN A. MACDONALD. I promised the hon. gentleman that the information would be brought down at once. I am rather surprised it has not been brought down. I will enquire into it. In regard to the subject brought up by the hon. member for Stormont (Mr. Bergin), the hon. member for Stormont has stated that he was instructed by the hon. member for Glengarry to bring up this point, to state the fact that he had voted against the motion of the hon. member for Marquette, and we should like to know whether that was the fact or not.

Mr. MACKENZIE. The Minutes will tell.

Mr. MILLS. I have information from the west, and I should like to know whether there is any foundation for it or not. I understand the Government have communicated with the revising officers throughout the country, telling them that they are not to act on the law and discharge those duties which the law has imposed on them; and I should like to know whether the Government have made such a communication to the revising officers, and, if so, upon what authority it has been done? I believe, it was customary in the time of Charles I, to exercise a dispensing power.

Some hon. MEMBERS. Order, order.

Mr. MILLS. I am putting a question.

Sir JOHN A. MACDONALD. It is more than a question.

Mr. MILLS. That was the position in those days; and I should like to know whether the Government are about to act in like manner now.

Some hon. MEMBERS. Order, order.

Mr. SPEAKER. The hon. gentleman has certainly a right to ask a question, but there is another rule which says that questions must not be accompanied by comments.

Mr. MACKENZIE. This is a matter of privilege.

Mr. SPEAKER. As a matter of decorum, the ordinary rule should be followed in this case as well as in other cases.

Mr. MILLS. Mr. Speaker—

Some hon. MEMBERS. Order, order.

Mr. MILLS. I have no intention whatever of dissenting from your ruling, Mr. Speaker. I know, however, that the English practice is—

Some hon. MEMBERS. Order, order.

Mr. MILLS. I am simply stating a fact: that the English practice is for a member to make his question intelligible. I am not dissenting—

Some hon. MEMBERS. Chair, chair.

Mr. MILLS—from the Speaker's ruling.

Some hon. MEMBERS. Chair, chair.

Mr. MILLS. I have put a question, and I want an answer to it.

Sir JOHN A. MACDONALD. If the hon. gentleman will give two days notice, we will answer it.

Mr. MILLS. Hear, hear.

Sir JOHN A. MACDONALD. That is the only way to treat the hon. gentleman.

Mr. MILLS. Then, I give the hon. gentleman notice now.

Mr. SCARTH. I rise for the purpose of making a personal explanation. The following is part of the *Toronto Globe's* report of the speech of the hon. member for Marquette (Mr. Watson), on the question of disallowance:—

"For instance, the member for Winnipeg stated to the people that if elected he would use his influence with the Government to have the disallowance policy stopped."

Mr. SCARTH denied that he had used such an expression."

Now, I did not deny that statement. The hon. member for Marquette (Mr. Watson) stated that I said on a platform

in Winnipeg that I had a telegram from Sir John A. Macdonald saying that he would do away with the policy of disallowance, and that is what I denied. I came here pledged to do everything I could against disallowance; I voted against it, as the House knows—

Some hon. MEMBERS. Oh!

Mr. SCARTH. I am not at all afraid of the laughter of hon. gentlemen. I know what I pledged myself to do; I came here pledged to do all I could against disallowance; I voted against it, as hon. gentlemen know; I saw every member of the Ministry privately, and endeavored to get them to do away with it—

Some hon. MEMBERS. Order, order.

Mr. SCARTH. And every hon. gentleman on this side knows that.

Mr. PURCELL. I want to make one remark. On Friday morning I voted for disallowance, but the gentleman there did not record my name right.

Mr. WATSON. I would just say, with reference to the explanation made by the hon. member for Winnipeg (Mr. Scarth), that I am not responsible for any statements made by the press. The remark I made on that subject, as reported by the *Hansard* reporters and recorded in *Hansard*, is absolutely correct. It is exactly what I said, and I think the hon. gentleman will find it correct.

JOHN R. DUNN.

On the Order :

John R. Dunn, returning officer at the last election for the electoral district of the county of Queen's, N.B., to attend at the Bar of the House, to be examined touching his conduct as such returning officer in returning a candidate who had not a majority of votes at the said election.

Mr. SPEAKER. The Sergeant-at-Arms will please see that Mr. Dunn is in attendance.

The SERGEANT-AT-ARMS. Mr. Speaker, John R. Dunn is in attendance.

Mr. SPEAKER. Admit the gentleman.

Mr. LANDERKIN. He is a nice gentleman.

JOHN R. DUNN came before the Bar.

Mr. WELDON. I move that Mr. John R. Dunn be asked this question: "Were you returning officer for the Electoral District of the County of Queen's, N.B., at the late election; and who was your Election Clerk?"

Motion agreed to.

Mr. DUNN. Mr. Speaker, being a layman I would like to have the assistance of counsel, to protest against these proceedings being taken against me by the House of Commons, and also to advise and assist me in whatever things may be necessary.

Mr. THOMPSON. I move:

That John R. Dunn, who is about to be heard at the Bar, be allowed assistance of counsel to advise him and to argue any question of law that may arise.

I believe it is the general practice to allow persons so appearing to be advised by counsel, and I therefore make this motion.

Mr. WELDON. The question is one of privilege and of examination before the Bar of the House, and, as I understand, the person at the Bar, who is to be heard, asks for counsel to protest against the proceedings of this House, and also to advise him as to what he may say. I think that is an extraordinary position for him to put forward. I

Mr. SCARTH.

do not think he is here to argue questions of law, but to answer questions of fact.

Mr. THOMPSON. The request made by the person about to be examined was that he desired counsel to protest against the House proceeding further with the case, or something to that effect. Of course I do not make a motion directed to that particular objection, but inasmuch as questions of law may arise, and he has applied for leave to have counsel to assist him, I think it would be more convenient to put the motion generally—that he be allowed to have counsel to advise him upon any legal questions which may arise—than to put a separate motion to have counsel to argue any particular question. Of course, if no legal questions arise, counsel will not be required to advise him, but I think it is better to make the motion general in this way.

Mr. MITCHELL. It appears to me that it is not questions of law that we are here to discuss, but questions of fact. We have brought Mr. Dunn here for the purpose of giving us information as to the facts—as to who had the majority of votes, as to whether he was returning officer, and as to whom he returned. If the emergency arises that questions of law are raised, it will then be time enough for Mr. Dunn to make application for legal assistance. In the meantime all we have to discuss are questions of fact.

Mr. THOMPSON. I would suggest that it is necessary, if counsel is to be of any assistance when questions of law do arise, that counsel should be present at the whole examination. And I submit to the hon. gentleman's own judgment this proposition, that if counsel is to be of any benefit at all to the person to be examined, it must be in the discretion of that counsel himself to raise any legal question on behalf of his client that may occur to him in the progress of the examination. It is true, the examination, so far as the House is concerned, will be confined to questions of fact entirely; but if there is a legal question in respect of which the person inculpated can claim exoneration, surely it can only be right that the question should be raised. It cannot be raised by a layman; it can only be raised by a person learned in the law, and if he is to have that assistance, it should be when the question is first raised.

Mr. DAVIES. I do not understand that the gentleman at the Bar has not asked for the assistance of counsel to do for him what the hon. Minister of Justice proposes. I understand that the gentleman at the Bar is here in answer to the Order of this House, and instead of answering the question that the House has carried should be put to him, he asks the liberty of having counsel to protest against the decision which this House has already come to, that he as an officer of this House should attend at the Bar to answer for his conduct. That has already been decided by the House, and this gentleman comes here and asks the assistance of counsel to argue the point as to whether he shall obey that Order. The hon. Minister of Justice proposes that he shall have counsel allowed him, not for that purpose, but for the purpose for which the gentleman does not ask counsel, namely: to advise him in case any legal points are raised.

Mr. THOMPSON. If my hon. friend will allow me to interrupt him for a moment. I understand that the gentleman at the Bar believes that the question raised is a legal question on which counsel should be allowed him. Inasmuch as he thinks it is a legal point on which counsel should be heard, I offer the motion that counsel should be heard on any legal question.

Mr. DAVIES. The hon. Minister of Justice has not apprehended the argument I was urging. It was this: It did not seem to me consistent with the dignity of this House that it should now proceed to receive arguments as to the propriety of a decision which it has arrived at and placed on its Journals. The hon. gentleman's resolution does not

say this, but the gentleman asks that counsel shall be allotted to him to argue the question—to protest, as he puts it, against our proceedings altogether. Now, I, for one, protest against any such resolution being adopted. This gentleman is an officer of the House. He has acted in a way which appeared to the House *prima facie* to be a disregard of the Statutes of the land. He has been called, on the report of the Committee on Privileges and Elections, which has been adopted by this House, to answer for his conduct. He may have a good answer to make; I am not going to prejudice his case; but after the report of the committee has been approved and ratified by the House, that we should now hear counsel argue that the whole proceedings are irregular, is, in my opinion, derogatory to the dignity of the House.

Sir JOHN A. MACDONALD. I think it will be found, on looking at parliamentary practice, that this is the course that is usually taken, and that ought to be taken. The hon. gentleman says that the House has decided for itself that the party should be brought before the Bar. Well, every time a person is brought before the Bar of the House of Commons in England, it has been upon an absolute resolution, on the supposition that the party is culpable. The right of exculpation is always allowed. Again and again parties have been brought before the Bar of the House of Commons, charged, upon the vote of the House, with having been guilty of certain misdoing. The whole case is heard at the Bar, and the party, as the hon. gentleman knows, is often discharged and the proceedings are dropped on the statement of the party. Now, it is very singular, and I do not see how hon. gentlemen opposite would like it to go to the country, that when a man says he wants to have counsel his request should be refused. This is the only tribunal in Canada where it would be refused; but I am sure Parliament will not refuse it.

Mr. MITCHELL. Notwithstanding the statement of the right hon. leader of the Government as to the practice—and the right hon. gentleman is always ready to refer to parliamentary practice when it suits his purpose—what we have summoned this person to the Bar of the House for is not to question its decisions, but to answer questions of fact as to this transaction—whether he was an officer of the House appointed to perform a certain work, whether he did it, whether he returned a man receiving a minority of the votes against a man receiving a majority. These are the questions we want to ask him, and, perhaps, a few others. Now, the Minister of Justice has stated that questions may, perhaps, arise involving questions of law which, in the opinion of the person at the Bar, may be considered sufficient justification for his course. I think there is a sufficient sense of justice and fair play in this House, that if any question of law arises, on which the gentleman at the Bar should have counsel, no member of this House will refuse to allow him to get counsel. As to the statement of the Minister of Justice that this counsel should be present from the first, it is only necessary that he should be present when the legal question arises, and not before. But I say that the self-respect of this House requires that we should ascertain from the man himself, untutored and undirected either by the minions of a Government or by a counsel, as to what answers he shall make. What we want from him are facts. We want to know whether the freedom of elections to this House is to be suppressed or not. What we want from him is a plain, unvarnished tale, and if he should need counsel at any time, both sides of this House, and the independent party too, will be willing to grant him counsel; but I do not think the time of the House should be taken up by listening to what a paid solicitor may suggest, to defeat the object of this investigation.

Mr. MILLS (Bothwell). The hon. First Minister says this is the only court in the country where the the right

of a party to have counsel would be questioned. Surely the hon. Minister does not pretend to say that every witness called in court should be allowed to be advised by counsel. This party is not accused. He is called here as a witness only, for the purpose of giving the House information. The House is about to examine him in reference to an election that took place in New Brunswick. We do not know what conclusion the House may come to on that subject, and when the hon. gentleman says that the party at the Bar is entitled to be advised by counsel, he proposes to adopt a line of action in this House that would not be taken in any other court in the country. The man is standing here simply to be examined as a witness. It will be time enough, when any question of law affecting his conduct arises, or when we propose to censure him for any course that he has taken, that he should be advised by counsel.

Mr. CHAPLEAU. It has been said before to-day that liberality and liberalism are not synonymous. I hope my hon. friend opposite will not on this occasion show this remark to be true. I am astonished to hear the hon. gentleman who has just sat down say that the gentleman who is now at the Bar is exactly in the position of an ordinary witness.

Mr. MILLS. Hear, hear.

Mr. CHAPLEAU. Were he in that position it would not probably make a difference, but he is not.

Mr. MILLS. You are prejudging the case.

Mr. CHAPLEAU. Has the hon. gentleman forgotten what he and his supporters have been saying in this House, and before the country, for the last three weeks? Has the hon. gentleman forgotten the punishment he was ready to inflict on the witness before bringing him to this tribunal? Has he forgotten that the witness, if hon. gentlemen opposite will call him so, has been branded by himself and his friends as a criminal, as one who, if he received his deserts, would be imprisoned, and who, in England, would be confined to the tower or a dungeon, or in gaol? This man asks, in the most ordinary manner, when a question is put to him, to be allowed to have counsel. Is he not under a restraint? Can he get away from where he is?

Mr. MILLS. No witness can.

Mr. CHAPLEAU. And has he not the right, before answering a question that is put to him, to ask permission to be assisted by counsel to put before us the objections he pretends having against the proceedings to which he is subjected? This man pretends that he can prove to the House, if allowed counsel, that he should not be here, and that the House has no right to examine him. I do not touch the merits of the question itself. If I were to give my personal opinion, my hon. friends opposite would, perhaps, be surprised.

Some hon. MEMBERS. Let us have it.

Mr. CHAPLEAU. I will give it in due time; my hon. friends need not be too much in a hurry. This case is one of the plainest right. It is a case of a well understood right, and it would not be a liberal and proper course for this House to take to refuse a man at the Bar, the assistance of counsel.

Mr. EDGAR. It seems to me to be impossible to say now that there is any question before us as to whether we are to examine that witness or not. The House has decided that question already, unanimously, in the language of the first Order of the Day.

Mr. CHAPLEAU. He had nothing to say to that.

Mr. EDGAR. He has said so.

Mr. CHAPLEAU. He has said it in proper time.

Mr. EDGAR. The House has decided unanimously that this witness is to be examined touching his conduct as a

returning officer at that election, so that there can be no question raised as to that point now. Surely, every protection will be thrown around this witness, as every question put to him must first be submitted to this House and be adopted before being put. Surely, this man has enough friends in this House to prevent improper questions being put to him, and, after having given his answers to the questions, then he should have counsel to assist him in arguing what the effect of these questions are and what he should do. I beg, therefore, to move in amendment that the following words be inserted after the word "That":—

After the questions submitted by this House have been answered to the satisfaction of this House, Mr. Dunn be authorised to be heard by counsel to argue the question of his responsibility for his conduct.

Sir JOHN A. MACDONALD. The hon. gentleman has given up the whole case, when he says there ought to be liberty of having counsel some time or other. If there ought to be counsel at all, that counsel ought to be had from the beginning of the proceedings. In days of old, criminals were not allowed counsel at all; afterwards they were. But I do not think it was ever provided that he should have no counsel at all while evidence was being taken, and only have counsel when the sentence is about to be pronounced and the prisoner is asked to say why the sentence of death should not be passed upon him. Then, and not before, hon. gentlemen opposite say counsel should be granted. This is a new theory worthy the liberal policy of the Liberal party. A more indecent—

Mr. MILLS. Order, order.

Sir JOHN A. MACDONALD. I have a right to say so.

Mr. MILLS. I rise to a question of order. The hon. gentleman has no right to apply such an expression to any act or to any member of this House. He has no right to say that the observation or motions made on this side of the House are indecent.

Sir JOHN A. MACDONALD. I say that the attempt—

Some hon. MEMBERS. Chair.

Sir JOHN A. MACDONALD. I am in order. A question of order, like any other, can be argued. The hon. gentlemen wish to prevent even a question of order being argued. They wish to put us down. The minority does not generally put the majority down, especially when the majority is right.

Mr. LANDERKIN. When they have returning officers.

Sir JOHN A. MACDONALD. My language was quite in order. I say, a more indecent, oppressive proceeding never was attempted against the liberty of a subject. It is a mere farce to say this man is simply a witness. Why, he is charged with having committed a great malefession, with having not performed, as returning officer, as officer of the Crown and this House, his duties, and he is there before this House, to all intents, a criminal standing his trial before the highest tribunal in the land. Yet, forsooth, he is not to be allowed to have counsel.

Mr. MILLS. There is a question of order.

Mr. SPEAKER. My opinion is that the word "indecent" ought not to be employed as a qualificative of the conduct or proceedings of this House.

Sir JOHN A. MACDONALD. I submit, of course, to your ruling—

Mr. MILLS. And apologise.

Sir JOHN A. MACDONALD—and I say it is not an indecent proceeding, but I say that the motion is indecent, is oppressive, and against the liberty of a subject. I have a right to say that a Bill in Parliament is wrong, oppressive, and corrupt.

Mr. EDGAR.

Mr. CASEY. If you have ruled, Mr. Speaker, that the words employed by the hon. gentleman in reference to the proceeding should not be allowed, it follows, as a necessary consequence, that the hon. gentleman should apologise to the House, and it follows, as a necessary consequence, that the hon. gentleman shall apologise to the House.

Some hon. MEMBERS. Oh!

Mr. CASEY. Yes, it even follows, even in this House, even in the case of the right hon. gentleman, that in such a case as this—

Some hon. MEMBERS. Oh!

Mr. SPEAKER. Order.

Mr. CASEY. Even in the case of the right hon. gentleman, who has not a supernatural right to evade all the rules of this House—even in this case it follows, under your ruling, Mr. Speaker, which I have no doubt you will carry out, that he must do what every hon. member of this House would have to do, like those who are now making improper noises under their desks—

Mr. SPEAKER. This is not arguing the point of order. The personality of the hon. member called to order has nothing to do with the matter. If the hon. gentleman will give me authorities in reference to the difference between applying the term "indecent" to the conduct of a member, and applying it to a measure before the House, I will be willing to hear him, but I will not allow him to argue the question of the personality of the hon. member who may have used the language objected to.

Mr. CASEY. Allow me to argue the point you suggest.

Some hon. MEMBERS. Oh.

Mr. CASEY. I call upon you, Mr. Speaker, to keep order while I state my point.

Mr. SPEAKER. Order.

Mr. CASEY. The leader of the House has referred to this whole proceeding as indecent. He has, therefore, applied the term to any member taking part in it, the member who moved to examine Mr. Dunn, the hon. member who proposes an alternative kind of action, and, in fact, to all the members of this House. I think in that case he must not only withdraw the expression, but apologise before he proceeds. When members of this House are charged with indecent conduct, an apology must be made to the House.

Mr. LANDERKIN. I do not object to Mr. Dunn having counsel; but I object to Mr. Dunn, summoned before this House by its unanimous voice, coming here and offering to bring counsel to protest against what the House has done.

Some hon. MEMBERS. No.

Mr. LANDERKIN. That is what he stated. Do not say "no." I am sitting as close to Mr. Dunn as those hon. gentlemen are, and I say that he said he desired to have counsel for the purpose of protesting against the proceedings of the House. There is a proper constitutional way of protesting against the proceedings of the House.

Mr. HAGGART. This is not arguing the question of order at all. The right hon. gentleman was speaking and was interrupted on a question of order, and this gentleman is not speaking to the point of order at all.

Mr. LANDERKIN. The hon. member for South Lanark (Mr. Haggart) does not understand the question. The questions of order have been disposed of, and I am speaking to a motion before the Chair.

Mr. HAGGART. I ask your ruling, Mr. Speaker.

Mr. LANDERKIN. Well, I will discuss the question on the point of order.

Mr. CASEY. It is a question of order we are discussing.

Mr. LANDERKIN. You may be discussing the question of order, but I am discussing the motion.

Mr. SPEAKER. The question now is on the point of order.

Mr. LANDERKIN. Well, on the question of order, I appeal to you if it can be in order, when a gentleman has been summoned to the Bar of this House—

Some hon. MEMBERS. Order.

Mr. HAGGART. That is not a question of order.

Mr. LANDERKIN. If that is not a question of order, I do not know what a question of order is. For a man who is summoned to the Bar of this House, to protest, and to ask for counsel to protest against the proceedings of this House—

Some hon. MEMBERS. Order.

Mr. SPEAKER. I quite appreciate the distinction made by the right hon. gentleman as to the difference between qualifying the conduct of a member by the word "indecent" and qualifying the motion before the House, as he might a measure before the House, as indecent or oppressive, as he said; but I do not think the difference is wide enough to enable me to say that the last expression would be in order. I may go a little far, but from the beginning of the Session I have made it a point to try and restrain as much as possible in my power the use of words which would be objectionable in the House; and I think it would be well if the right hon. gentleman would help me in that direction and do what I have exacted from others, that is, withdraw the objectionable word.

Sir JOHN A. MACDONALD. In obedience to your ruling, Mr. Speaker, I withdraw the word "indecent."

Mr. WELDON (St. John). It seems to me that the hon. gentlemen opposite are treating Mr. Dunn as a criminal, and think that, for that reason, he should be assisted by counsel; but on what is that founded? A discussion took place in this House. No doubt he was charged with having done what was apparent on the papers returned to the House, showing that the law had been violated. That was referred to the Committee on Privileges and Elections, and, after discussion, a report was made by that committee recommending, among other things, that he should be called to the Bar of the House to be examined in relation to his conduct. In accordance with that report, the hon. member for Jacques Cartier (Mr. Girouard) moved for an Order of the House to summon Mr. Dunn to the Bar. He is now here to be examined on that point, and, as I understand his answer in reply to you, it was not in the terms of the motion of my hon. friend, the Minister of Justice. Mr. Dunn wants to come here and argue that the House has no right to examine into his conduct, that it has no right to examine into the conduct of a public officer, an officer of this House, or to make any enquiry into his conduct. If any proposal were made to censure Mr. Dunn or to punish him on the facts which may be deduced, then would be the proper time for Mr. Dunn to be allowed counsel to argue the case on his behalf, but when the House, which has been characterised by the First Minister as the highest tribunal in the land, ordered that an officer of the House should be, not punished, but examined, giving, if it is possible, a justification of his conduct and explaining, perhaps to the satisfaction of the House, the circumstances of the case, its order should be obeyed. It is due to the honor and dignity of this House that the matter should be investigated, and it is for that purpose that Mr. Dunn is called to the Bar of the House to be examined, and why

should he be put in a different position from any witness in an ordinary court of justice? I defy any lawyer in this House to say that he ever saw a witness, when asked a question by the judge, demand to be allowed counsel in order to protest either against the court asking him a question or to assist him. Even—and to this I call the attention of the Minister of Justice—when a witness claims that he should not answer certain questions because they might criminate him, not only is he not allowed counsel, but the counsel for the parties are not allowed to argue the question at all. Mr. Dunn stands at that Bar as a witness, called here on the report of the Committee on Privileges and Elections, to give evidence to the House, to explain, if he can, an abuse, or to show a mistake or an error in the law. We do not desire to prejudge Mr. Dunn, but to ascertain from the returning officer of that electoral district what the circumstances are.

Mr. BURDETT. As the seconder of the motion, I desire to record my voice and vote in favor of a motion that Mr. Dunn should have counsel if he desires it. It is surprising to me that the Minister of Justice, when he moved his motion, should not have been able to furnish some precedent; and it is still further surprising that the leader of the Government should have characterised the amendment of my hon. friend by such a hard name. In my view, whether there are precedents or not, this person at the Bar ought to have counsel, especially when the leader of the Government admits that he is here charged as a criminal. I think all criminals ought to have the right of defence by counsel, in open court, no matter where the court may be, or however much the judges or jury may be biased by prejudice. But I understand, furthermore, that in this case the criminal has severed in his challenge; therefore he may be a witness as well, even against the other criminals. I have no doubt that he needs a counsel, a man who has taken the oath before the law society, who will not violate that oath, and that he will advise this man to tell the truth, the whole truth, and nothing but the truth; and unless this person is older in sin than he appears to be in years, he will honestly disclose who the other criminals are, and then we will be able to throw the blame on the proper shoulders. For that reason I earnestly desire this man to have counsel, first, last, and all the time. But I do not think he should have counsel to advise him whether he should answer the questions truly, or not. He should answer the questions unadvised by counsel, even though he may be a criminal.

Mr. FREEMAN. I am astonished that this gentleman who is at the Bar of the House should have changed so wonderfully since we had him here a few days ago. At that time, as I listened to hon. gentlemen on the other side of the House, they denounced him as the vilest criminal in the country, and if the *Hansard* is taken up and read to-day you will find that I am correct. Read their expressions with regard to this gentleman, read their statements, and I think it will be admitted by all who examine their statements, that he is certainly a criminal. But what is he here for to-day? To give evidence against whom? Why, certainly against himself. For what purpose is he here, if it is not to give evidence against himself? And, Mr. Speaker, these gentlemen have condemned him, and they bring him here to-day to establish the correctness of their condemnation, and out of his own mouth to convict him. It is for that purpose, and for no other. What does he ask? He simply asks what I have frequently heard asked by criminals at the Bar, by men who have never been convicted, men who are simply accused. I have seen scores of men in that position, and does the judge refuse them counsel? Never, Sir. I never knew of such a thing. The judge always tenders them counsel, not that justice may be defeated, but that justice may be had. That man has as good a right to justice as hon. members opposite, and if he is allowed counsel that counsel will see that he gets

justice. Now, who has this man to contend against—a young man and a layman as he is? Why, Sir, he has not only one of the best counsel against him, if I am correctly informed, that is to be found in this Dominion, but he has several of them; he has philosophers opposed to him; he has men of ability, not one but a score, to entrap him in every way possible. I say entrap him—certainly, because the hon. gentlemen wish to establish their position that he is a criminal. I say that is the common sense view of it. They wish to establish that he is a criminal out of his own mouth. Now, Sir, all my better feeling revolts against the refusal to allow this man counsel. I never saw him before; I never had anything to do with him; I have no fellow-feeling with him any more than I have with every man, more than I have with every man who is placed in his position; nor have I any prejudices, nor any political feelings in the course I take. But, Sir, I claim for him justice; I claim for him the rights of our common humanity; I claim for him what every criminal is granted, every unconvicted criminal. I think he should have counsel on the grounds of humanity, and I am astonished that hon. gentlemen calling themselves Liberals should take the ground that he should not have counsel to assist him to defend himself.

Mr. GIROUARD. The question seems to me to be one of procedure. Is it usual for the House of Commons to permit a party called to the Bar of the House to be assisted by counsel, or is it usual for the House of Commons to permit parties to be heard by counsel at the Bar of the House on any matters of public interest. I find in May, page 460, the following words:—

“Questions of public policy can only be discussed by members, but when protection is sought for the rights and interests of public bodies and others, it has not been unusual to permit parties to represent their claims by counsel.”

If on a public Bill, parties may be heard before the House by counsel, it seems to me that parties at the Bar of the House in the position of this gentleman to-day, have also a right to be heard by counsel.

Mr. LAURIER. It seems to me my hon. friend who has just sat down, and many of the hon. gentlemen who have spoken on the other side, are forgetting the precise nature of the duty which we have to perform. In order to remember what it is, let me read from the report of the committee, which says:

“It was moved that, in the opinion of this committee on the papers returned to the House, the conduct of the returning officer, John B. Dunn, requires explanation, and that the said returning officer, John B. Dunn, be ordered to appear without delay before the Bar of the House to be heard thereupon, and to answer for his conduct.”

What is the first thing he has to do? His conduct requires explanation, and he is here to give explanation. His explanation may be satisfactory or not. If he satisfactorily explains his conduct, he goes away; if the explanation he gives is not satisfactory, then a motion may be made against him, and upon that he may be heard by counsel; but not until he has given the explanation which the House may require of him. Now, the House should not forget this either, that in the explanations which are to be asked from that gentleman, only such questions will be allowed as the majority of the House will think proper, and when he has answered these questions, if they are answered satisfactorily, and convey the impression that he has acted in good faith, I suppose that under such circumstances he would be allowed to go, but if not, if the explanations are not satisfactory, then a motion will be made against him, he would be brought back before the House, and be liable to censure. Under such circumstances, for my part, I would be only too happy to hear him by counsel, but not until then.

Mr. FREEMAN.

Mr. CHAPLEAU. The hon. gentleman has just been making out a case in favor of the gentleman at the Bar. We sit here as a court like any other court. When a complaint is made against a person and he is at large, he may be arrested and brought to court, he may be refused bail and may be treated in any way the authorities may order, but the moment he comes before the court and has “to answer for his conduct,” he is never refused counsel. He is here to answer for his conduct. We have decided that he should be examined. Are we going to say that by our own actions, by our own conduct, we are going to prevent the man who is here in the double capacity of witness and accused—are we going to prevent him from saying: I am here to speak, you have brought me up, and before speaking I want to object to your jurisdiction? Had that man the right to say, when we put the question, as to what questions should be put to him? He had no such right; he had no right to object to the questions, and suggest that he did not want to be examined. He was not then before us. When he came before us that was the time to speak; it was the time to speak when the question was put to him. Hon. gentlemen who are accustomed to practice before the courts are aware that when the first question is put the party accused has a right to say, “I object to your proceedings, and I ask the privilege of being represented by counsel.” When our proceedings have commenced, that is the moment when he has the right to speak; that is to say, when the question has been put and he is called upon to answer. I will not say it would be an indecent, but it would be a most immoral proceeding, that a man should not enjoy the fullest liberty of the subject, and that is, to be free in his defence; and his defence is not after the questions have been put and answered, but it begins from the first moment of the examination, because he may come and convince us that we have no right to examine him. The hon. member for East Hastings (Mr. Burdett), for the sake of making a joke, which was good in form, but not correct on its merits, said: “I do not object, and I think he should have counsel at first as well as last, and during the whole proceeding; but I do not want him to be advised as to what answer to give.” We do not know what answer he will give; surely it is time afterwards to raise that point.

Mr. THOMPSON. I insist that this person has come to the Bar in a very different position from that of a witness in a court of justice, and in a position very different from that which a witness at the Bar of the House of Commons or House of Lords in England occupies. But, even if he is simply in the position of a witness, the authorities are abundant to show that sometimes the entire examination and cross-examination of witnesses in the Imperial Parliament is sometimes conducted by counsel. I admit that the ordinary rule is that it shall only be conducted by questions put from the Chair after they have been put to the House; but by the first relaxation permitted members are allowed to interrogate a witness directly, and it is assumed on the part of the House that it concedes that the question should be put. The second relaxation is, that sometimes a cross-examination is conducted by counsel, as hon. gentlemen will see on looking at page 485 of May, where the whole subject is dealt with:

“When a witness is in the custody of the Sergeant-at-Arms, or is brought from any prison in custody, it is the usual, but not the constant practice for the Sergeant to stand with the mace at the Bar. When the mace is on the Sergeant's shoulder, the Speaker has the sole management.”

Just previous to that it says:

“For the sake of avoiding the repetition of each question members are usually permitted to address their questions directly to the witness, which, however, are still supposed to be put through the Speaker.”

May goes on to say that in such cases (that is, when the prisoner is in the custody of the Sergeant) it is usual for the

questions to be read by the Speaker, but, with that exception, they are allowed to be put by a member. Then, if the question is objected to, or any difference arises, the motion is put to the House by the Speaker. In Committee of the Whole House any member may, as a matter of right, and not as a matter of convenience, put a question directly to the witness. Then May goes on to say :

"Where counsel are engaged, the examination of witnesses is mainly conducted by them, subject to the interposition of questions by members."

Mr. EDGAR. That is by counsel for the House.

Mr. THOMPSON. Does the hon. gentleman mean that the House would engage counsel against a witness appearing at its Bar? Surely the hon. gentleman does not mean that counsel should be allowed on one side and not on the other? I need not say anything more on that point. The whole practice of hearing and allowing counsel to intervene in the examination of a witness is distinctly recognised by English practice, and I put to the calm judgment of the House this proposition: that, whatever the form may be by which we resolve to hear the examination, this man at the Bar is here in a position altogether different from that of a witness. The motion made by the hon. member for St. John (Mr. Weldon) was merely to fix a day for him to come. In so far as the hon. member for Ontario West (Mr. Edgar) has referred to the language of that motion, it indicates that we are to examine him; but it was founded on the report of the Committee on Privileges and Elections, and hon. gentlemen opposite will find, if they read the language, that it indicates that he was to be summoned here (and he has come to Ottawa in obedience to that summons), to answer for his conduct in returning as elected a candidate who did not receive a majority of the votes cast at such election. What right and what authority have we to summon anyone to our Bar except for a breach of the privileges of the House for which the individual is amenable to punishment. This man, therefore, stands not in the position of a witness, but in the position of a person charged with a contempt against this House, and he is here to-day to answer not only our interrogatories, but to answer with respect to his conduct in the very words of the report of the committee, of having committed what appeared to be a contempt of the privileges of this House. It is true that when he came to the Bar he merely made the request that counsel be heard to argue the question as to the right of the House to proceed further with this business. He fancied that was a question of law. So far I agree with hon. members who have spoken on the other side of the House, that it is a point of law not well taken; but surely hon. gentlemen on both sides are willing to hear before deciding, and that is all the person appearing at the Bar has asked. Admitting that, the opinion of both sides of the House is, as I fancy it is, against his view of the House having no legal right to proceed further, the least we can do before pronouncing judgment is to say that we will hear this man and counsel who can argue the case for him, he being a layman; and as the Secretary of State said, the reason why he should be heard now is because, although there was a resolution that called him to the House, he had no opportunity of raising the question previously, and this House could not in fairness and justice, say that because we had the matter up and decided it yesterday or the day before, it is not convenient for you now to raise it, although your whole defence may rest upon it. If this point is not well taken we, at least, are not wasting time by complying with the forms of justice and hearing him before he is condemned. The reason why I made the motion that counsel be heard on all legal points which might arise, is simply this: It would be inconvenient to put a separate motion on each legal question. He comes to the Bar, and states what he thinks is a legal point in his favor. He asks that counsel be heard on that point—al-

though my opinion is against him on that, I move that counsel be heard on all legal questions which may arise during the examination. It is too late after the trial is over to allow a man counsel, because the legal points are only those which he or counsel instructed by him can suggest. When the question is put to the House whether this question or the next question be put, who is to say nay? Why should we say nay? We are not instructed as to the defence; we do not know what legal questions arise. Why should we refuse permission to any question which an hon. member may please to ask? But if this man has counsel instructed in the details of his case, having made it a study and knowing what the legal defence is, if he has a legal defence, it is for that counsel to rise and argue that such a question should not be put to the witness, the reason for which he may state to the House, and it may be a reason which no member of the House may know. So, as an hon. friend beside me suggests, in relation to the whole proceeding and in relation to each question, it is nothing more than allowing him to raise legal questions, if he has them, and present them by word of mouth in the nature of a demurrer, and these points we will be ready to decide on the spot. Surely we will be observing better the forms of justice, and there will be less probability of doing wrong, and depriving him of any legal rights, if we hear him fully, and we can only hear him fully in his defence by allowing him a person who is capable of arguing the legal questions which may arise touching his defence. Now, the hon. member for East Hastings (Mr. Burdett) suggested that one reason why counsel ought to be heard was, that there were other criminals as well as the one who appears at the Bar. Surely the hon. gentleman does not object to his having counsel under these circumstances. He has already had an indication that gentlemen on this side cannot be very deeply implicated in the crime, when they propose that the case shall be fully heard, instead of being heard after the trial is over, as has been suggested. I would suggest again that the person at the Bar is in the position of a person charged with an offence, and he should, at least, when questions are put to him, have counsel to say whether the questions should be put, and to argue as to any legal questions which may occur.

Mr. EDGAR. With reference to the quotation which the hon. gentleman made, I am not surprised that he dropped the book very suddenly, because if he had gone on he would have found that May does not at all sustain his contention that witnesses examined by the House are assisted by counsel.

Mr. THOMPSON. I read every word bearing on the subject.

Mr. EDGAR. The hon. gentleman did not read the following words:—

"Where counsel are engaged the examination of witnesses is mainly conducted by them,—"

Mr. THOMPSON. Certainly.

Mr. EDGAR.

"—subject to the interposition of questions by members."

Now, how can counsel for the witness conduct the examination for the witness? Therefore, May does not show anywhere that the contention of the Minister of Justice is correct, else that gentleman, who is famous for his research, if he is famous for anything, would have found it if it was in the book. One reason why witnesses, when before the Bar of the House, are not allowed to be assisted by counsel in answering questions, is this: That if counsel is allowed, instead of the witness, to discuss each question, we will be in a perpetual wrangle with the counsel. Each member will have the right to discuss every question with the prisoner,—

Sir JOHN A. MACDONALD. Hear, hear.

Mr. EDGAR—with the person at the Bar or with his counsel. There would be no end to it. There would be a perpetual wrangle over every question. I do not know whether that is the object with which the hon. gentleman made the proposal to introduce counsel, but I suppose the motion will carry, and I predict that that will be the result, at any rate. The time of the House will be delayed and objections, perhaps trivial ones, will be raised. We will make no progress, and we may be here till the fall discussing this question. Now, the First Minister spoke of its not being in accordance with English precedent for a person examined at the Bar not to be attended by counsel. Does not the First Minister know that now a days criminals are not examined under the English law—are not called upon as witnesses, and, therefore, it is not until this witness is asked the questions to be propounded to him by the House that we shall know whether he is guilty or not guilty. He may exonerate himself altogether, or he may think he has done so, and then will be time enough to call on counsel to assist him.

Sir JOHN A. MACDONALD. Hon. gentlemen have rather retrograded from the liberal principles they formerly fought for. In 1873, when Mr. Bell, returning officer, was brought to the Bar he was asked his name, and if he was returning officer. He answered both questions, and he then applied for leave to have counsel, and the House unanimously agreed that he should have counsel. They were not at all alarmed that the whole time of the Session until autumn would be taken up, and I have no doubt, from my recollection in looking at the Journals, that the time of the House was saved. I shall read the entry in the Journals:

"The Order of the House of Monday the 10th March, inst., for the attendance at the Bar of this House, of Richard James Bell, Esq., returning officer at the last election for the electoral district of Muskoka, to answer for his return to the writ of election for the said electoral district, being read;

"The Sergeant-at-Arms reported that, in obedience to the Order of the House, Mr. Bell was in attendance.

"Mr. Bell was then called in, and at the Bar examined, as followeth:—

"By Mr. Blain:—

"1. What is your name, residence and occupation?—My name is Richard James Bell; my residence is Bracebridge; my occupation is clerk.

"2. Were you the returning officer at the last election for a member to represent the electoral district of Muskoka in the House of Commons in Canada?—I was.

"The witness then requested that he might be allowed the assistance of counsel.

"On motion of the right hon. Sir John A. Macdonald, seconded by Mr. Duguay, leave was granted to the witness to be assisted by counsel."

There was no discussion upon it all. The Liberals of that day saw the justice of the request, and it was granted without a word.

Mr. ARMSTRONG. It may seem presumptuous for a humble layman to express any opinion on a question of this kind. Still, I wish to use my undoubted right, as a member of this House, to say that I cannot agree with the objections urged against the resolution. They seem to proceed on the assumption that the statement of the gentleman who stands at the Bar is going to prevail, and that he is going to be allowed to refuse to answer questions that may be put to him by this House. Now, Sir, if I understand the matter rightly, he has been summoned to answer those questions by the House, and I have full confidence that the House will maintain its own dignity by compelling him, if he refuses, to answer the questions that may be put to him. Then as regards the merits of the case, the gentleman stands here not only to answer for the procedure in the case of the election, but, if I understand aright, he stands here to answer for his own conduct in the matter, and the humblest criminal in the land, under these circumstances,

Mr. EDGAR,

would be allowed to have counsel. I, Sir, for one, am not going to do anything to deprive him of that privilege.

Mr. MITCHELL. I do not at all take exception to the position taken by the gentleman who last spoke. But it is as to the time of granting this privilege that I take exception. When the gentleman at the Bar is put on trial—if he is put on trial—then is the time to ask the House for counsel, and then the House will concede it. But the special pleading of the right hon. gentleman in referring to the authorities read and submitted by himself on a former occasion, and the special pleading of the Minister of Justice and the Secretary of State upon this subject—what does it all mean? It goes upon the assumption that this man is upon his trial. Sir, he is not on his trial.

Some hon. MEMBERS. He is.

Mr. MITCHELL. No, he is summoned to this House to give a statement of facts. He is not on trial, and if the examination which this House will put him through should prove that he has been guilty of a gross violation of the law, I hope that he will then be put on trial, and if he is he will be in a position to ask the House for the aid of counsel. But divesting this question of all the legal flummery which legal gentlemen on the other side have thrown about it, the case stands thus: What appears on the face of the documents laid before this House is a gross act of injustice, an act against the liberty and freedom of the election law. That is what appears *prima facie*, and, upon a report of a committee of this House, the returning officer was summoned to be brought to the Bar, to give an explanation of his conduct and acts. We do not want to try him with a view to punish him, if guilty, but what we do want is information. That information we have the right to get, and to get it, it is not at all necessary that the person at the Bar should employ counsel, nor is it desirable, in the interests of the procedure of this House or in the despatch of public business, that he should have counsel, and, therefore, I shall vote for the amendment.

Mr. DAVIES. I do not propose that my position in the matter shall be misinterpreted. I, for one, do not object that the person at the Bar, if any charge were brought against him in the course of these proceedings, or any question asked him to the form of which he objected, should have counsel if he applied for counsel. What I objected to in the first instance was that the person at the Bar comes here and challenges the jurisdiction of the court. This House having already argued the case, and decided upon it, I did not think it would be consistent with our dignity that we should re-open it and argue it again. I do not think the case is arguable; I do not think hon. gentlemen opposite think it arguable; and, therefore, the demand made by the person at the Bar seemed to me to be merely trifling with the House. He did not ask for counsel to advise him as to the question, or as to the proceedings. He merely asked for counsel to protest against his being here at all. This House has already decided that question, and I say that it would be derogatory to our dignity, after having decided it once, to re-open the whole question now, and determine whether this officer of the House should answer a single question or not. He was asked one question: "Are you the returning officer?" And he says: "I want counsel to advise me whether I should answer that or not, and to protest against the whole proceedings."

Some hon. MEMBERS. No, no.

Mr. DAVIES. I am sorry that hon. gentlemen opposite dissent, for his language was clear and distinct. He says: "I ask for counsel to protest against the proceedings of this House." If there is any doubt about it, I would ask the Clerk to read the answer made by the person at the Bar

to the question that was put to him. It is on that point and that alone, that we on this side contend that it is not proper that he should have counsel. The hon. gentleman smiles. I suppose, having already determined in his own mind, and having voted, that if an officer of this House is guilty of conduct that is *prima facie* wrong, this House is entitled to call him to an examination—having voted that proposition, he is now willing that we should solemnly sit as a court and listen to arguments whether this House of Commons, the highest tribunal in the land, has power to call one of its officers before it and ask him certain questions as to his proceedings. Legal gentlemen on the other side know that it is an insult to their common sense and intelligence; but if any question is put to the witness that he thinks is not in proper form or as to which he desires legal assistance, I, for one, would be only too happy to allow him to have counsel.

Sir JOHN A. MACDONALD. I rise to a question of order. The hon. gentleman says hon. members on this side know that what they say is an insult to common sense. I want to know that if that is in order.

Mr. DAVIES. I was reasoning that it would be an insult to their common sense. The hon. gentleman did not make the distinction. I say that the reason we oppose the proposition made by the man at the Bar, is one which hon. gentlemen on the other side have evaded from the first, and they are attempting to thrust on that gentleman what he has not asked, advice as to the legality of the question put to him.

Mr. MACDONALD (Huron). Would it be in order to ascertain the reason why Mr. Dunn asks for counsel? I understood him to use the words, "to protest against the proceedings of the House of Commons." What the remark will determine my vote. If he simply asks for counsel to advise him as to the questions put to him by the House, I shall willingly vote to allow him to have counsel. I think it would be in order for us to know before the vote is taken whether he wishes counsel to protest or to advise him during the investigation.

Mr. LANDRY. I think all we have to vote is the resolution before the House. I do not think any expression that was made by the gentleman at the Bar ought to influence us in our votes. If we think the resolution is right, and that it is only proper that the gentleman should have counsel, I think that is the question that challenges our votes, and not what he thinks or wants. Suppose he wants something after he gets counsel, that we think he should not have, we will refuse it; but at present we have only before us what is contained in the resolution. I admit that I heard the gentleman use words similar to what the hon. gentleman from Prince Edward Island has attributed to him; and if there is anything that convinces me that he should have counsel, it is that very fact, that he, as a layman, has already used words, not knowing the full force or significance of them, which, in my mind, prejudiced his case. He has challenged the jurisdiction of the House. It is exactly because he is here alone as a layman and has already, by the first word he has uttered, prejudiced his own case, that I am willing to vote for his having counsel. He evidently feels timid in coming here to the highest court in the land, considering his age, and all this shows the necessity of his being represented by counsel, who can look into the questions and proceedings of the House calmly. I think we have only to vote on that resolution, and when the counsel appears before us and undertakes to advise him, that will be the time for us to decide whether the course of the counsel is one we can sanction or not.

House divided on amendment of Mr. Edgar (p. 618):

YEAS:

Messieurs

Amoyt,	Edwards,	Mills (Bothwell),
Bain (Wentworth),	Ellis,	Mitchell,
Béchar, d,	Fiset,	Perry,
Borden,	Fisher,	Rinfret,
Bowman,	Gauthier,	Robertson (King's, P.E.I.),
Burdett,	Gillmor,	St. Marie,
Campbell (Kent),	Guay,	Semple,
Casey,	Hale,	Sutherland,
Charlton,	Innes,	Trow,
Cimon,	Kirk,	Turoot,
Clayes,	Landerkin,	Watson,
Davies,	Langelier (Montmor'cy),	Weldon (St. John),
De St. Georges,	Laurier,	Wilson (Kilgln),
Dessaint,	McMullen,	Yeo.—43.
Edgar,		

NAYS:

Messieurs

Armstrong,	Girouard,	Perley (Ottawa),
Audet,	Godbout,	Platt,
Baker,	Gordon,	Pope,
Bergeron,	Grandbois,	Porter,
Bergin,	Guilbault,	Purcell,
Bowell,	Guillet,	Reid,
Boyle,	Haggart,	Riopel,
Brown,	Hesson,	Robertson (Hastings),
Bryson,	Hickey,	Robillard,
Burns,	Holton,	Roome,
Cameron,	Hudspeth,	Royal,
Cargill,	Jamieson,	Rykert,
Carling,	Joncas,	Scarth,
Carpenter,	Kenny,	Scriver,
Caron, (Sir Adolphe),	Kirkpatrick,	Shakespeare,
Casgrain,	Landry,	Skinner,
Chapleau,	Langevin (Sir Hector),	Small,
Chisholm,	Macdonald (Sir John),	Smith (Ontario),
Cockburn,	Macdonald (Huron),	Somerville,
Colby,	MacDowall,	Sproule,
Coughlin,	Mackenzie,	Taylor,
Coulombe,	McCarthy,	Temple,
Coursol,	McOulla,	Thérien,
Couture,	McDonald (Victoria),	Thompson,
Daly,	McDougald (Picton),	Tisdale,
Daoust,	McDougall (U. Breton),	Tupper (Sir Charles),
Davin,	McKay,	Tupper (Picton),
Davis,	McLelan,	Tyrwhitt,
Dawson,	McMillan (Huron),	Vanasse,
Denison,	McNeill,	Waldie,
Desaulniers,	Madill,	Wallace,
Doyon,	Mallory,	Ward,
Duchesnay,	Maria,	Weldon (Albert),
Dupont,	Mills (Annapolis),	White (Cardwell),
Ferguson (Welland),	Moncreiff,	Wilmot,
Flynn,	Montague,	Wilson (Lennox),
Foster,	O'Brien,	Wood (Brockville),
Freeman,	Paterson (Brant),	Wood (Westmoreland),
Gaudet,	Patterson (Essex),	Wright.—118.
Gigault,	Perley (Assiniboia),	

Amendment negatived.

House divided on motion of Mr. Thompson (p. 616):

YEAS:

Messieurs

Amoyt,	Foster,	Paterson (Brant),
Armstrong,	Freeman,	Patterson (Essex),
Audet,	Gaudet,	Perley (Assiniboia),
Baker,	Gauthier,	Perley (Ottawa),
Béchar, d,	Gigault,	Perry,
Bergeron,	Gillmor,	Platt,
Bergin,	Girouard,	Pope,
Borden,	Godbout,	Porter,
Bourassa,	Gordon,	Purcell,
Bowell,	Grandbois,	Reid,
Bowman,	Guay,	Rinfret,
Boyle,	Guilbault,	Riopel,
Brien,	Guillet,	Robertson (Hastings),
Brown,	Hale,	Robertson (King's, P.E.I.),
Bryson,	Haggart,	Robillard,
Burdett,	Hesson,	Roome,
Burns,	Hickey,	Royal,
Cameron,	Holton,	Rykert,
Campbell (Kent),	Hudspeth,	St. Marie,
Cargill,	Innes,	Scarth,

Carling,	Jameson,	Sriver,
Carpenter,	Joncas,	Semple,
Oaron (Sir Adolphe),	Kenny,	Shakespeare,
Casey,	Kirk,	Skinner,
Casgrain,	Kirkpatrick,	Small,
Chapleau,	Landerkin,	Smith (Ontario),
Charlton,	Landry,	Somerville,
Chisholm,	Langelier (Montmor'ey),	Sproule,
Cockburn,	Langevin (Sir Hector),	Taylor,
Colby,	Laurier,	Temple,
Coughlin,	Macdonald (Sir John),	Thérien,
Coulombe,	Macdonald (Huron),	Thompson,
Coursol,	MacDowall,	Tisdale,
Couture,	Mackenzie,	Tupper (Sir Charles),
Daly,	McCarthy,	Tupper (Pictou),
Daoust,	McGulla,	Turot,
Davies,	McDonald (Victoria),	Tyrwhitt,
Davin,	McDougald (Pictou),	Vanasse,
Davis,	McDougall (C. Breton),	Waldie,
Dawson,	McKay,	Wallace,
Denison,	McLellan,	Ward,
De St. Georges,	McMillan (Huron),	Watson,
Desaulniers,	McMullen,	Weldon (Albert),
Doyon,	McNeill,	Weldon (St. John),
Duchesnay,	Madill,	White (Cardwell),
Dupont,	Mallory,	Wilmot,
Edgar,	Mara,	Wilson (Lennox),
Ellis,	Mills (Annapolis),	Wood (Brockville),
Ferguson (Welland),	Mitchell,	Wood (Westmoreland),
Fiset,	Moncreiff,	Wright,
Fisher,	O'Brien,	Yeo.—154.
Flynn,		

NAYS :

Messieurs

Edwards, and

Trow.—2.

Motion agreed to.

Sir JOHN A. MACDONALD. According to parliamentary practice, the members who asked for a division should vote nay, in this instance, the five gentlemen who called for division have voted yeas.

Mr. LAURIER. It has not been the practice of the House for those who simply asked for the yeas and nays to vote nay.

Mr. CASEY. If the practice of the House had been that those who asked for yeas and nays should vote nay, the hon. gentleman should, in pursuance of that practice, have voted nay in the previous vote.

Sir JOHN A. MACDONALD. So I did.

Mr. PATERSON (Brant). If my memory serves me right, when the yeas and nays were demanded on one occasion, the right hon. the First Minister took the same objection that he did to-day. I think it was a vote he was not anxious to give, and his objection was overruled by the then Speaker; and, on its being overruled, the hon. gentleman was suddenly called outside when the time came to vote.

Mr. CASEY. The hon. member for Halifax has not voted.

Mr. JONES. I paired with the hon. member for Cape Breton?

Mr. FISHER. The hon. member for North Victoria has not voted.

Mr. SPEAKER. Has the hon. gentleman for Montmagny voted.

Mr. CHOQUETTE. I paired with the hon. member for Quebec West. If I had voted I would have voted against the amendment.

Mr. HESSON. The hon. member for Bothwell, has not voted.

Mr. DAVIES. The hon. member for Bothwell was not here when the division was taken.

Mr. SPEAKER. The hon. member for Bothwell not being in the House, I cannot enquire why he did not vote.

Mr. LANDRY.

Mr. SPEAKER. Counsel may be admitted.

Mr. DUNN. Could I have until to-morrow to confer with my counsel?

Mr. SPEAKER. That must be left to the decision of the House.

Mr. MACKENZIE. Simple questions may be put and answered at once; more difficult questions may be reserved.

Sir JOHN A. MACDONALD. I quite agree with the hon. gentleman, the questions shall be put, and if there is any question on which Mr. Dunn wishes to consult with his counsel, the House will give every consideration to it.

Mr. DAVIES. I am glad both sides of the House concur in that, as that is the principle upon which we voted on the hon. gentleman's motion.

Sir JOHN A. MACDONALD. I am glad my hon. friend has found a principle at last.

Mr. SPEAKER. The question you have to answer is the following: "Were you the returning officer for the electoral division of Queen's, N.B., at the late election, and who was your election clerk?"

Mr. DUNN. I wish to wait until my counsel arrives before answering any question. I am under the advice of counsel, and, therefore, have to act under his guidance.

Mr. MACKENZIE. You must, Mr. Speaker, enforce the Order of the House.

Mr. SPEAKER. You have to answer this question.

Mr. CASGRAIN. I think that the witness at the Bar ought to answer at once. I recollect an extreme case before the Bar of the Quebec House, when the witness, in reply to a question as to what was his name, asked for twenty-four hours to consider his answer.

Mr. LYONS (Counsel for Mr. Dunn). Before the witness is called upon to answer any question at the Bar of this House, we, as counsel, wish to be heard as to whether this House has any jurisdiction or authority to call upon Mr. Dunn to come from Queen's county to Ottawa, under a writ or Order of this House, to answer for the offence stated in it, as having returned to this House a candidate from the election in Queen's county having the minority of votes; and we, as his counsel, submit that, while the authority of this House is recognised as far as it extends as a court, Mr. Dunn should no more answer to the question put to him than if the House had summoned him here and attempted to try him for violation of any statute law of the country. While the House of Commons of Canada, under the constitution, possesses many of the powers of a court, we submit and press strongly the objection that it is only a court for the purpose of hearing or dealing with matters of contempt or breach of the privileges of the House of Commons; and, speaking in the hearing of many eminent lawyers in the House, and of gentlemen who are versed in the privileges of Parliament, I venture to assert that the principle, and only principle, under which the House of Commons of England has ever declared any matter to be a breach of privilege of the House of Commons, was the necessity of the case, simply that there was no adequate remedy at law for the redress of the matter of which they complained as a breach of privilege. The law of the land provides, as we submit it does in this case, for dealing with the offence, if any, with which Mr. Dunn is charged; and if the privilege of Parliament has been, as it were, merged into the law of the land and become part of the statute law of the country, then Parliament will leave this question, as Parliament has always left those questions, to be decided by the courts. If you permit me to give you an illustration of the objection that I urge here, it is simply this: If you, Sir, had been assaulted by anyone within the precincts of this building, there is no doubt that the party could be pun-

ished as ordinary offenders are under summary conviction and before a magistrate; but still I have no doubt that the House of Commons would take the matter up, and say that, while that might be some remedy, as far as any personal injury you suffered was concerned, the dignity of the House had been outraged by the insult offered you, Mr. Speaker; and it might be very well contended that the House, in vindication of what it would consider its privileges, should bring the offender before the Bar of the House, try him here and have him punished by imprisonment during the pleasure of the House. But I take it, Mr. Speaker, that if such offences became so frequent that it was found necessary to introduce a bill into this House, and if that bill was concurred in by the Senate, assented to by the Governor General, and afterwards became an Act of Parliament and the law of the land; if that Act provided that, if anyone should insult, or obstruct, or assault the Speaker of this House within the precincts of this House, he should be guilty of a misdemeanor or of a felony, there would be no question whatever that the matter which had been before that a breach of privilege, would now have become a breach of the law, and that the House would leave the matter to the court, and the guilty party, who at one time would have been dealt with as a violator of the privilege of the House, would afterwards be dealt with as a violator of the law, and would be so punished, and punished only by the courts. Would it be contended that, if the House has dealt specifically with any one matter of that kind which heretofore was considered a breach of privilege, the House would afterwards, if it became part of the law of the land, attempt to bring the offender before the Bar of the House, and treat him as for a breach of privilege? Letters written to the Speaker, threatening him for anything he may do, might be considered, and have been considered, a breach of privilege of the House; but, if afterwards the House had concurred in a bill for the purpose of preventing repetitions of such Acts, and an Act was passed for that very specific purpose, surely, I submit as a question of law to the House, it would not be considered that a person should be punished twice, or that a person, after being fined and imprisoned under a statute of this country for that offence, would be brought before the Bar of the House and punished a second time for a contempt and breach of privilege. Dealing with this very case, questions which were considered before as breaches of privilege are now merged into the Statutes and have become breaches of law in reference to elections, and we submit here that under different sections of the Election Act, this very matter into which the House is going to enquire or seeks to enquire is provided for, and adequate penalties are provided for the offender against the law. Section 59, I think it is, of the Election Act, provides that the returning officer shall return the candidate having the majority of votes. If he violates that Act, if he does not do what that Act commands him to do, penalties are imposed by three different sections of the Act. He is liable to a prosecution at the suit of the candidate whose case has come before the court—that is, if the court adjudicates under a petition—and he is liable to a fine of \$500 and costs. Then, further, he is liable to a penalty of \$200 to anyone who may sue for the same, for the violation of any of his obligations and duties. Then, if prosecutions have been instituted against a returning officer for a violation of the law, would it be right, would it be held proper, to have him afterwards up before the House for what was before considered a breach of privilege? The assumption that the returning officer is an officer of the House, I take it, is unwarranted, any further than you may say that a judge who may try an election petition is an officer of the House. The returning officer is appointed by the Government, appointed for a specific purpose; his duties are defined by statute, and if he violates those duties penalties are imposed. Then, as the House has dealt with this matter by passing

the Election Act, and has left it to the law of the land to deal with violators of that Act, why bring Mr. Dunn up here and have him punished for what was considered heretofore a breach of privilege of the House, but what is now a violation of the statute law of Canada? Now, there are other objections.

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

After Recess.

Mr. LYONS. Mr. Speaker, before Recess I was dealing with one point, and it is the only point I intend to allege as an objection to these proceedings, and it is, briefly to restate it, that Mr. Dunn cannot be guilty of any breach of privilege, because the offence charged against him and mentioned in the summons, is one that is a violation of the public statute law of Canada, and being so, it ceases to be treated as a breach of privilege by the House. I intend to say very little in addition to what I have already said, further than to point, as an illustration of my argument, to the Independence of Parliament Act itself. All the offences mentioned in that Act—if an improper person sits in the House, if a disqualified person takes a seat in this House, if a member of the House receives a bribe, or fee, or reward, if he happens to have a contract and is interested in it—all these subjects were at once dealt with by the House of Commons as breaches of privilege, as the House claimed the privilege to deal with them, and the offenders were brought before the Bar of the House. But I take it, Sir, that since that Act has been passed, you leave all these matters to be dealt with by the courts; you allow parties to bring their actions in the courts against the sitting member, or against a disqualified member for anything he has done in the House, and when the general law of the country provides a penalty for such an offence, it surely is enough to have that one penalty enforced against the party, without bringing him up when there is no necessity for it, and treating the case as one of breach of privilege. I do not for one moment question the right of this House to deal with the members of this House—to say what party shall sit in the House, to take a seat from one member and give it to a candidate outside and bring him in as the member; and I take it that if such was the object of this proceeding, there would be no objection to bringing Mr. Dunn here as a witness. I admit freely that the House has the right to call witnesses to any proceeding before you, but I do not understand, nor can it be contended, that Mr. Dunn is here before your Bar as a witness. I would ask, who is he a witness against, or who is he a witness for? Surely it is not going to be said that you can bring a man before the Bar to make him a witness against himself, to examine him, and after you have examined him, to put him on his trial for something that you learned from his own evidence. If it is a right that the House of Commons should exercise to try the returning officer for any matter that happened during the time he was returning officer, and to say that inasmuch as he returned the wrong person to Parliament it is a breach of privilege of the Commons, then the House has the same right to try any man who is guilty of bribery at the elections, any person at any election, who is guilty of personation. If there is a row at a polling place, for instance, and a disturbance caused there by which voters are kept back, and an improper party gets into Parliament, would the House constitute itself a court to try such a case? There was a time when the House even dealt with these matters as breaches of privilege, because there was a necessity for it, but since the Act has been passed in both Houses and assented to, whereby any person guilty of bribery, personation, and of any offence on an election day, is liable to punishment by the courts, the House has very properly left those matters to the courts and refused to interfere and treat them as matters of privilege. I recognise, too, Mr. Speaker, that the House has the power, notwithstanding all counsel may say, to order Mr. Dunn here to

answer any question that may be put to him and try him for this very offence. But I ask whether the House will do anything—I am sure it will not—that is not right and just to the party. If Mr. Dunn would be prejudiced, as he must be prejudiced by being tried in a Court such as this, if the House considers itself such a court for the purpose of trying Mr. Dunn, then look at what a position he is in. The very first thing that is done with this criminal in this court, is to put questions to him as to whether he is guilty of the offence charged, and on those questions he is going to be convicted. Further than that, the very material that will come out in evidence before the House of Commons here to-night would be used against Mr. Dunn by parties outside the House to bring suits against him to make him liable to penalties under the Election Law, and he would be punished a second time for this offence. I take it then that the House should be very slow to go further in this matter unless they feel that it would be just, right and proper to do so. I wish to ask, what other object can there be in this enquiry further than to punish Mr. Dunn? The House has passed a general law to leave all these disputed elections to the courts. In this very matter it has decided by its own resolution not to interfere in the case between the sitting member and the candidate whom it is alleged should have been returned. Then, as I take it, the only other object that can possibly be reached by this investigation, is to punish Mr. Dunn. I submit very respectfully to the House that he has already been punished. He has felt, at least, the power of the House; he has been brought here from his home, a great distance away; he has been put on his trial; he has been forced to employ counsel to take these objections before the House; and I do trust, Mr. Speaker, that, under the circumstances of the case, and in reference to one point—if the House consider it well taken, that the law already provides amply for this very case, and can deal with it better in every way than the House can do—that Mr. Dunn shall be further discharged from this investigation, and be dismissed without being called upon to answer any questions.

Mr. THOMPSON. I presume after the remarks the learned counsel has made for Mr. Dunn, the House has to consider whether the question proposed by the hon. member for St. John (Mr. Weldon) should still be put. The learned counsel who has argued against the further proceeding of this case, has taken various points against the propriety of the House so proceeding. In so far as his argument has been addressed to the House as a means of persuading the House that it ought not to further consider this question, I submit that that point can be more appropriately decided at the close of the investigation, and after the House has heard the questions which it proposes to put to the person at the Bar. In so far as the learned counsel has contended that it is not in the power of the House to proceed further, I submit that the power of the House remains notwithstanding the passage of the Election Act and the penalties therein prescribed. The argument has been substantially this: That in consequence of Parliament having in the Election Act established certain penalties against Mr. Dunn, he ought thereby to be relieved entirely from the procedure and penalties which attach to a contempt of the privileges of this House. I submit that the establishment of penalties by an Act of Parliament has not that effect. Notwithstanding the general operation of the principle that a man ought not to be punished twice for the same offence, it is a well recognised principle that the enactment of various penalties sometimes has merely the effect of establishing cumulative penalties against the offender, and not substitutive penalties. The effect of that would be, in this instance, that a returning officer who offended against

a provision of the Elections Act, would be, in the first instance, liable to the public for the wrong done to the public by indictment, or by any other suitable procedure for an offence against the Elections Act; and he would, in addition to that, be liable for the pecuniary penalties which the Act declares may be recovered by any individual aggrieved, and notwithstanding the establishment of those penalties he might still be liable at the hands of Parliament for contempt committed against its privileges. I might illustrate my view of this question by changing for a moment the offence for which the person at the Bar is charged, by supposing it was a case of libel, in order to give an illustration more familiar to the House. Assuming that you, Mr. Speaker, or any individual member of this House acting as such, had been libelled, it would be quite clear that the offender would be liable, first, to criminal prosecution for libel; second, to a civil suit at the instance of the person aggrieved; and, third, the offender could be summoned for contempt against the privileges of this House. Under these circumstances I, as one member of this House, entertain this view: that this House should persevere in the question proposed; and I only presume to express these opinions now because it may be convenient on both sides of the House, according as questions of law arise, that those conversant with such questions should express their opinions, and consequently lead the House more clearly to a decision.

Mr. WELDON (St. John). I think the opinions expressed by the Minister of Justice are in accordance with the law and the precedents which were presented before the Committee on Privileges and Elections. We are not trying Mr. Dunn at the Bar for penalties, but he is here simply for the purpose of interrogating him with respect to matters connected with the privileges of this House, and I fail to see that by the statute respecting election trials this House has divested itself of its ancient rights and privileges in that respect. While the judges are entrusted with the power of trying election petitions, a power conferred on them by Parliament, Parliament has not divested itself of the right to investigate into any subject. We find not only by the cases referred to before the Committee on Elections which are on the Journals of the House, but we are also aware that in many cases to which the learned counsel has alluded the House of Commons of England has investigated election matters ever since the Election Act came into force. The person at the Bar is not being cited on any criminal charge. That is a fallacy on the part of the counsel. The House of Commons has considered that this is a subject of public importance and public policy, and that explanation should take place, and for such purpose as subsequently this House may determine; and for that purpose they have required Mr. Dunn, the returning officer for Queen's county, to attend at the Bar for the purpose of giving explanation as to certain matters. With respect to the argument of the learned counsel that the Independence of Parliament Act takes away the right of the House to deal with this matter, I have only to say that the answer to that argument is furnished by the case of Sir Sydney Waterlow. In the case of Sir Sydney Waterlow, who sat for Dumfries, and the cases referred to in the report of the sub-committee, although the petition against him was abandoned in the Court of Sessions in Scotland, yet afterwards the House of Commons took it up and referred it to a select committee, and that committee reported that Sir Sydney Waterlow was disqualified to sit in the House. This goes to show that the power to investigate the question remains. In this case Mr. Dunn stands here as a witness, as a servant and officer of this House, for the purpose of offering explanations to this House for its information with respect, not merely to what took place in that particular election, but with regard to the public

policy of retaining and maintaining in its efficiency, and in purity, honesty and uprightness, the election law of the land. It is not, therefore, a matter of this particular election simply, but it is a matter affecting the public at large and the rights of the people, and, therefore, it seems to me that when it is put forth that this person is standing here subject to penalties, or that there is a second charge for a particular offence, I maintain that he does not stand charged with any offence but that under the direction of the House he is brought to its Bar to give explanations as to his conduct. The case referred to by the Minister of Justice seems to me so entirely conclusive upon this point, that any one who has followed the argument must see that the plea that this House has no jurisdiction is one without any foundation, legal or constitutional, to sustain it. I submit that under these circumstances the question I propose must be answered.

Mr. DAVIES. I do not propose to argue the question at any length, but I think it is desirable to state one fact with respect to the remarks of the learned counsel. The learned counsel based his arguments on two principles, one of which was that the House had deprived itself of all its jurisdiction in respect to controverted elections. I think it is well understood by all those who have given the subject any consideration whatever, that the passage of the Controverted Elections Act, vesting in the judges of the land the power to try election petitions, has not deprived this House, as a court of Parliament, of any jurisdiction which it possessed prior to the passing of that Act. In other words, the judges do not possess any jurisdiction which the House possessed before. The judges possess about the same jurisdiction that the Committee on Privileges and Elections possessed before Parliament in its wisdom chose to give it to them. My own opinion has been, and I think it will be borne out by all precedent in the Parliament of Canada, and by the Parliament of Great Britain, from which we draw our authority, and by whose precedents we are to a large extent governed, that this authority has been not only possessed by the House but that it has been exercised. The other point, the learned counsel suggested was, that because certain penalties attached to an act of malfeasance on the part of the returning officer, he may be punished for that act in the courts of the land, and that, therefore, Parliament should not try his action at all here, is an argument which I think is unfounded, and for this reason: The penalties which the law prescribes for any act of misfeasance on the part of its officers, are penalties which are payable to any person who is individually damaged, and they can only be recovered by the person who alleged that he suffers that damage. If the gentleman, who, we think, ought to have been returned in place of Mr. Baird, brought an action, it would be necessary for him first to institute a suit before the judges of the court, and only after we have a declaration by that court of his right to be returned, could he maintain an action for damages. That action is one personal and peculiar to himself: it does not affect the rights of the people, and it does not in any sense affect the privileges of the House, and therefore, so far as Mr. Dunn is concerned, if Mr. Dunn was liable to damages at all, at any time, those damages cannot be recovered against him now, because the time for filing a petition has expired. I have not the slightest doubt in my own mind as to the jurisdiction of the House.

Mr. SPEAKER. The objection not having been sustained by the House, you are ordered to answer the question. I will repeat the question: "Were you returning officer for the electoral district of the county of Queen's, N.B., at the late election, and who was your election clerk?"

Mr. DUNN. I was returning officer for the electoral district of the county of Queen's, N.B., at the now late election, and my election clerk was Councillor T. Williams.

Mr. WELDON. I move that the witness be now asked the following question: "Look at number three of the Votes and Proceedings of the House now shown to you: are the writ and letter of Mr. Pope, pages 13 and 14, correct copies of the writ and instructions sent to you; and is the return you made correctly set out on pages 15 and 16?"

Motion agreed to.

Sir HECTOR LANGEVIN. I think it is customary that the party at the Bar should have the question in his hand.

Mr. CASEY. It is being written out for that purpose.

Mr. HESSON. I think the gentleman charged should have had notice of the—

Some hon. MEMBERS. Order, order.

Mr. HESSON. I am quite in order.

Some hon. MEMBERS. Order, order.

Mr. HESSON. Hon. gentlemen opposite cannot put me down.

Some hon. MEMBERS. Order, order.

Mr. HESSON. I would suggest—

Some hon. MEMBERS. Order, order.

Mr. HESSON. I would suggest the propriety of the gentleman at the Bar having notice of the questions which are to be put to him. Some gentlemen in this House are in possession of the notice, but the gentleman at the Bar may not have notice, and now we have to wait till he gets through with the question and discovers for himself whether or not he thinks it is a correct representation of the case. I say that he ought to have been supplied with the ordinary notice, so as to have a fair opportunity of answering the questions.

Mr. SPEAKER. I have put the question, whether the question which Mr. Dunn now has in his hands will be put to him or not, and the House agreed that it be put. It is, therefore, not now a debatable question whether that question shall be put or not.

Mr. HESSON. Mr. Speaker, I wish to say—

Some hon. MEMBERS. Chair, Chair; order, order.

Mr. HESSON. I will speak, and hon. gentlemen opposite cannot put me down. I have my rights in this House.

Mr. SPEAKER. The suggestion which the hon. gentleman is making may very well come up when the next question is put.

Mr. HESSON. Mr. Speaker—

Some hon. MEMBERS. Order, order; Chair, Chair.

Mr. MILLS (Bothwell). Mr. Speaker—

Mr. HESSON. I ask the hon. member for Bothwell (Mr. Mills) to take his seat, as I have the floor.

Mr. SPEAKER. I beg hon. gentlemen to sit down, as I have given my ruling. When the question is put and answered, and the next question is asked, it will be time enough to raise this point.

Mr. FERGUSON (Counsel). Mr. Speaker. I consider it proper to object to this question, and to the witness answering it, on grounds which might have been urged at the beginning of this examination, but which I consider can more properly be urged now, when this question, the nature of which I consider has a tendency to inculpate the witness, has been asked. I object to the question which is now directed by the House to be put to this witness, on the ground that it will expose him to a prosecution for a penalty under the Election Act; and I need scarcely urge, especially to the legal members of this House, that the privilege which I claim for this witness is one which is acknowledged by the law of the land, and in

every court of justice and before every tribunal which has the right to investigate any matter of a criminal or a civil nature. I need scarcely refer to the authorities, which are familiar to you, Mr. Speaker, and to the hon. members of this House who belong to the legal profession. I might refer, however, to Taylor on Evidence, and to Best on Evidence, the last editions, in which it is clearly laid down that any question the tendency of which is to criminate the witness who is asked the question, or to subject him to a liability for a penalty, or anything in the nature of a penal action, he cannot be compelled to answer. I submit that the question which the House has now directed to be put to the witness is of that nature, because it asks him whether the return which he has made is correctly set out on pages 15 and 16 of the volume which has been put into his hands. I submit that the effect of answering that question, if he said yes, would be to make an admission against himself, which could be used in evidence in any action which might be brought under those provisions of the statute which provide for the recovery of penalties against a returning officer or a deputy returning officer, or any other officer acting under the Election Act. The effect would be to make him liable, out of his own mouth, for the penalties provided by those provisions. I refer more especially to sections 101 and 105 of the Election Act of 1874. Section 101 provides:

"If any returning officer wilfully delays, neglects or refuses duly to return any person who ought to be returned to serve in the House of Commons for any electoral district, such person may—if it has been determined on the hearing of an election petition respecting the election for such electoral district, that such person was entitled to have been returned—sue the returning officer who has so wilfully delayed, neglected or refused duly to make such return of his election in any court of record in the Province in which such electoral district is situate, and recover from him a sum of \$500.

"Every officer and clerk who is guilty of any wilful misfeasance or any wilful act of omission in violation of this Act, shall forfeit to any person aggrieved by such misfeasance, act or omission, a sum not exceeding \$500 in addition to the amount of all actual damages thereby occasioned to such person;

"Every returning officer, deputy returning officer, election clerk or poll clerk, who refuses or neglects to perform any of the obligations or formalities required of him by this Act, shall, for each such refusal or neglect, forfeit the sum of \$200 to any person who sues for the same."

In Taylor on Evidence, edition of 1878, vol. 2, page 1223, the right of a witness to claim this privilege is clearly laid down that a witness is not compelled to answer where the answers would have a tendency to expose him to any kind of a criminal charge, or to a penalty or forfeiture of any nature whatsoever. This rule, the author goes on to say, is one of great antiquity and applies equally to parties and to witnesses, and is now uniformly recognised by all British tribunals, whether civil or criminal. In the last edition of Best on Evidence, edition of 1883, the same principle is clearly laid down. And that it applies to the high court of Parliament as well as to any other tribunal, is laid down in Mr. Bourinot's work on Parliamentary Procedure and Practice, page 204:

"In all matters touching its privileges the House may demand definite answers to its questions, but in case of enquiries touching a breach of privilege, as well as what may amount to crime at common law, the House 'out of indulgence and compassionate consideration for the party accused,' has been in the habit of telling them that they are under no obligation to reply to any questions so as to criminate themselves."

The words which are in quotation marks are taken from the English *Hansard*, vol. 9, 1875. Now, I submit my objection to the question on these grounds. I say that the result of the witness answering this question would be to make an admission against himself which would certainly be used against him in any action which might be brought against him for any penalties to which he might be subject under the Election Act of 1874. I also submit that the question is objectionable on another ground. He is asked to say whether a copy which is placed in his hands is a true copy of a document which has not been placed in his hands. The question is of two branches. The first: "Are the writ and

the letter of Mr. Pope on pages 13 and 14, true copies of the instructions sent to you." The witness has not been given an opportunity of comparing the documents, and he is asked to state here whether these are true copies or not. On these grounds, Mr. Speaker, I submit that the question is not a proper one, and that the witness should not be compelled to answer.

Mr. THOMPSON. I do not know whether the course I took under the former question was acceptable to the House or not; but I would suggest that hereafter it would be more convenient that the objections of counsel should be taken before the question is put to the House, because it is inconvenient, after the House has resolved to put the question, to consider whether it is a proper question to be put or not. The question the hon. member for St. John has put into your hands to be proposed to the witness is substantially whether certain documents which appear on the record and proceedings of the House are true copies of the original documents which have passed through the witness hands. In objection to that, there is first of all put forward the proposition that the answer may tend to criminate him. I presume the members of the House, who are acquainted with legal procedure, understand perfectly well the principles which govern the reception of questions which tend to criminate a witness. As I recollect them, they are these: that the tribunal must first decide whether the question may have a tendency to criminate the witness. If it decides in the affirmative, the witness has the absolute privilege of declining to answer. I submit, however, to the House that, with regard to questions touching a matter of this kind, we are not governed by the rules which apply to evidence in the ordinary courts of law. I quite agree with the contention raised by Mr. Dann's counsel, that if this were an enquiry taking place in a court of law, he would be absolutely privileged, after making the assertion, under the obligation of his oath, that the answer would tend to criminate him; but the House is proceeding with an entirely different enquiry. The House proceeds according to the unusual procedure by which we can interrogate a person who may likely be criminated by his answers, and it would be entirely inconsistent with the fundamental right, which undoubtedly exists in the House, to interrogate the person at the Bar, that he, in respect to the main enquiry should shelter himself from all the questions we may put to him, behind the plea that his answers would tend to make him liable to the penalties which we may hereafter seek to impose upon him. I take it, when the House has the right and power to punish for an offence, and at the same time, to interrogate a person charged with the offence, his privilege, based on the principle that his answer may tend to subject him to the penalties of the offence, is gone; and that, therefore, in respect to the main enquiry, which is whether he has committed the offence charged or not, we have the right to put questions, notwithstanding that the tendency of his answers might be to criminate him. If not, it would be impossible for us to proceed at all. The protection which the person at the Bar has in such a case is in the strong hand of power which the House is accustomed to exercise to prevent an improper use of his answers. It is laid down that:

"While the House punishes misconduct with severity, it is careful to protect the witness from the consequences of his evidence given the House. On the 26th May, 1818, the Speaker called the attention of the House to the case of the King vs. Merceron, in which the shorthand writer of the House was examined without previous leave, and it was resolved, *nem con*, that all witnesses examined before this House, or any committee thereof, are entitled to the protection of this House, in respect of anything that may be said by them in their evidence; and that no clerk or officer of this House or shorthand writer employed to take evidence before this House, or any committee thereof, do give evidence elsewhere, in respect of any proceeding or examination had at the Bar, or before any committee of this House, without the special leave of this House."

I think that any person who may, from time to time, be called to this Bar, may trust to the exercise of our authority for his protection against undue advantage being taken of the answers he may give. In this instance, every member of this House may decide as to whether this question might be put or not, having in view the just exercise of the authority of this House to prevent any person whatever, whether he be a shorthand writer of the House or clerk of the House or persons present by courtesy to listen to its debates, from testifying hereafter against the person at the bar as to the answers given in the House; and in that respect, the person who stands at the Bar may have the same privilege against the improper use of answers being made against him, as a member of this House is in relation to any remarks he may make in Parliament on any question that may come before it. It is true, there is an authority cited to the effect that, out of consideration and compassion for persons called to the Bar of the House, the House, through its Speaker, occasionally cautions the person that he is not bound to answer questions tending to criminate him. I answer, that that authority applies to questions which may tend to make him liable to accusations or disabilities collateral to those which are the subject of immediate enquiry. For instance, Mr. Dunn, if he were questioned with regard to other matters than the mere question of return, would be entitled to claim privilege on the ground that his answer might subject him to penalties, irrespective of those which attach to the particular offence with which he is charged. I understand the authority cited to be that, with that limitation, questions may be put. The counsel has objected that it is not proper to ask the witness whether the printed paper submitted to him is a true copy of the documents which passed through his hands, namely, the writ and the return thereto. The objection is that it will be impossible for the witness to answer that question fully without comparing the printed documents with the originals. I think that is a question entirely for the witness himself to decide. It is not an objection to come from the counsel that the witness may or may not be able to answer the question, because, if he is not, he can say so.

Mr. WELDON. I agree with the view taken by the hon. gentleman on the first objection. With regard to the second, if Mr. Dunn cannot answer the question, we must have the originals produced. They are supposed to be on the Table, and it ought to be an easy matter to produce them. If the originals be produced, then I will put the question whether they are the originals, and whether the copies are correct. I framed the question in the way I did because I thought this gentleman would be prepared to answer any question with regard to any paper that he had transmitted to the Clerk of the Crown in Chancery.

Mr. SPEAKER. You are ordered to answer.

Mr. DUNN. Not having the original written instructions and my correspondence with the Clerk of the Crown in Chancery and my return, I am unable to say that these are, word for word, copies of those returns, &c., but so far as I am able to recollect, I believe they are of the same substance. I believe they are correct, so far as I can recollect.

Mr. HESSON. The gentleman at the Bar has a right to have notice of the question put to him, so that he would, in this case, be in a position to know whether these papers were exact copies or not. Now, we have arrived at the very position I anticipated we would be in. The gentleman at the Bar is unable to give you the evidence you want, because he has not had an opportunity of comparing this with the original papers. Those papers are in the hands of the House, not in his hands. He should have been put in a position by those who are pressing this case, to compare these papers and to answer these questions.

Mr. WELDON (St. John). If we went on in that way in the courts of law, we would be in a very nice position. What I did was with a view to expedite the proceedings. If the hon. member for Perth (Mr. Hesson) persists, I will have the originals produced. I think I have a right to send for them, and then we will see if the witness will not identify them.

Mr. CHAPLEAU. He has answered that satisfactorily.

Mr. WELDON (St. John). I do not suppose that the witness at the Bar, who has been here for some days, since he notified the Speaker that he was in attendance, has been so negligent as not to have examined these papers.

Mr. TUPPER (Pictou). You would not expect any other answer?

Mr. WELDON (St. John). As far as his answer is concerned, I am satisfied with that. I am answering the objection of the hon. member for Perth (Mr. Hesson); and if any such objection is to be raised in that way, I will have the originals placed in the hands of the witness, for I do not want any objection to be raised afterwards on technical grounds. The next question I propose to put is the following:—"Look at No. 9, Votes and Proceedings now shown to you. Is the report of the proceedings of the election set out at pages 73 to 78, inclusive, signed by your election clerk, a correct statement of the proceedings of the election, and are the statements on pages 79 and 80 correct copies of the statements of the returning officers?" I would like to have the original produced.

Mr. BLAKE. They are on the Table technically.

Mr. CHAPLEAU. All those papers are before us.

Mr. MITCHELL. Let them be put in the hands of the witness and let him examine them and have the answers satisfactory.

Mr. CHAPLEAU. There is no necessity for that.

Mr. WELDON (St. John). If there is any objection I ask to have the originals placed in his hands.

Motion agreed to.

Mr. DUNN. My answer to the last question will about reply to this question also.

Mr. COURSOL. Answer that one first.

Mr. SPEAKER. Please repeat in words your last answer.

Mr. DUNN. That so far as I know these are correct copies, I believe them to be correct.

Mr. WELDON (St. John). I now propose to ask: "When were you first informed of the objection as to the deposit or that it would be taken? By whom, and how long prior to the 5th March?"

Motion agreed to.

Mr. DUNN. The first information I got that any objection as to the paying of the deposit was to be made was from the newspaper. The 5th of March was on Saturday, and it was some time in the beginning of that week that I saw the editorial in the newspaper—the *Sun*, I think—stating that the agent of Mr. Baird was thinking of making objections to the nomination paper on account of the deposit being wrongly made.

Mr. WELDON (St. John). I propose to ask the following question: "Did you not state at the time of declaration that you had obtained law books from Mr. Currey, and looked into the question? When did you do that?"

Mr. THOMPSON. I would ask the hon. member to state the question a little more explicitly. It is ambiguous as it stands at present.

Mr. WELDON (St. John). I will put it this way: "Did you not state at the time of the declaration that you had obtained law books from Mr. Currey and looked into the question? When did you get the law books and look into the question?"

Mr. LYONS (*Counsel*). Before that question is answered by the witness, allow me to say that I object to it. I do not wish to take technical objections at all, but I submit respectfully to the House that that question is not at all material to the issue. We must draw a line somewhere as to what questions will be put to the witness. If a returning officer consults law books, I presume he is doing something which we would expect him to do; but surely it is not a matter that he is to be examined about, with a view of making a complaint out of it, or as affecting his return. As to conversation which he may have had with third parties, unless they are material to the issue, I submit very respectfully that witness should not be examined upon them.

Mr. MITCHELL. Amen.

Mr. THOMPSON. It strikes me the question may be material, and if it may be material it ought to be put. We are not deciding now whether it is material or not. In examining a witness we must admit every question which may possibly be material. There are many views of the case in which it may possibly be material; therefore, I think we should allow it.

Motion agreed to.

Mr. DUNN. I did not state at the day of declaration that I had obtained law books from Mr. Currey, and looked into the question.

Mr. WELDON (St. John). I move that the following question be put:—"Did you obtain books from Mr. Currey or any other person, and look into the question prior to or on the 5th March? If from any other person, from whom?"

Mr. LYONS (*Counsel*). On behalf of Mr. Dunn I object to this question most strongly. Part of it was asked before in the last one, and now he is asked if he received any books from anybody previous to the 5th March. At what time? During his whole life? I believe he has been a school teacher for some time during his life. Also he is asked from what other person. I submit to the House that this is a question that cannot be material at all.

Mr. DALY. I think hon. gentlemen opposite should employ counsel.

Mr. SCARTH. Perhaps it would be well to appoint a committee on the other side.

Some hon. MEMBERS. Carried, carried.

Mr. MITCHELL. It appears to me that this thing is degenerating into a farce. If hon. gentlemen want to maintain the dignity of this House and conduct this examination properly, an examination of a most serious character involving most serious consequences, they had better allow the questions to be put; and I think if the gentlemen who act as counsel, having taken this objection to one of the questions, allowed matters to proceed without continuing every individual objection we would get along very much better with the business.

Mr. DUNN. Am I supposed to answer this question literally? I do not remember having obtained any books from Mr. Currey. I remember of having bought

Mr. WELDON (St. John).

books ever since I was five or six years old from other people. I am unable to mention the different parties.

Mr. THOMPSON. Mr. Dunn asked the question whether he should answer the question literally. I would suggest that he should answer it fully and distinctly as relating to this enquiry.

Mr. DUNN. I did not obtain any books from Mr. Currey prior to 5th March—that is with respect to this question.

Sir JOHN A. MACDONALD. Or from any other person?

Mr. DUNN. Or from any other person; although—nor on 5th March.

Some hon. MEMBERS. Although what?

Mr. DUNN. I was going to say that previous to that time I had obtained some; but it was previous to the election. I had obtained some law reports that he had; but it was previous to my being returning officer, previous to my being appointed; but I had no books in relation to this question from him or any other person.

Mr. WELDON (St. John). I move that the following question be asked: "Did any one assist you in or point you out any authority? If so, who assisted you in this subject?"

Motion agreed to.

Mr. FERGUSON (*Counsel*). The way the question is put is this: Did any one assist you in this question, and point out to you authority?

Mr. WELDON (St. John). On this subject, with respect to the question of the deposit.

Mr. THOMPSON. I suggest that the question might be put more definitely, as to whether any person assisted him as to the return he should make.

Mr. WELDON (St. John). In conducting an examination you must frame the questions as you would in a court of law. I understand that the witness is sufficiently astute to understand the question. But he has trifled with the House; I say so advisedly.

Mr. THOMPSON. I did not make the suggestion that the questions be more distinct for his benefit, but that we might understand them.

Mr. WELDON (St. John). The question says: "Did any one assist you in this?" To what are we referring? In regard to whether any person assisted him in coming to a conclusion, examining law books and citing authorities? I can put the question in another way if necessary.

Mr. THOMPSON. The ambiguity is here: Whether the hon. gentleman meant to imply that anyone advised him in regard to the point raised with respect to the deposit, or advised him after the election as to the return made, notwithstanding this defect.

Mr. WELDON (St. John). I have not touched the question of return. I have not got there yet. If the witness says he cannot understand the question, I will put it in another shape. I propose to alter the motion as follows: "Did anyone assist or advise you as to this question of the validity of the deposit, prior to or on the 5th of March, and show you any authorities on the subject? If so, who so assisted and advised you?"

Motion, as amended, agreed to.

Mr. DUNN. Prior to the 5th March, no one assisted me or advised me as to the question of the validity of the deposit, but on the 5th March, declaration day, the matter was argued before me by Mr. Currey, agent for Mr. Baird, and by Mr. Gregory, agent for Mr. King.

Mr. WELDON (St. John). I move that the following question be asked: "What is your occupation?"

Mr. MITCHELL. Manufacturing members.
Motion agreed to.

Mr. DUNN. I am a teacher by occupation.

An hon. MEMBER. Preacher or teacher?

Mr. DUNN. Teacher—a public school teacher.

Mr. WELDON (St. John). I move that the following questions be put: "Were you at the time of your appointment as returning officer, or at any time prior, a member of any political association? If so, how long prior, and in what capacity were you therein?"

Mr. THOMPSON. I would not undertake at all to say that this question should not be put, but I submit to my hon. friend whether it is pertinent to the enquiry which is now being conducted. We are examining this person as to his own culpability; and I submit to the hon. gentleman—and I am not presenting this argument as a reason why the question should be voted down, because I should be exceedingly averse to offer any argument, against any question which any hon. member, sitting as a judge, thinks is pertinent—but I ask the hon. gentleman whether we are not now trying merely the culpability of the person at the Bar, and whether that question ought not to be tried distinct altogether from any question as to the propriety or the impropriety of his appointment. The hon. gentleman will see that the appointments of the returning officers are made by the Governor in Council, by Order in Council, and that a question as to whether he was a suitable person to be appointed or not is one for which the Government must be answerable, and in respect of which the person at the Bar should not be answerable at all. If, in the opinion of the House, the selection ought not to have been made of a person who belonged to any political organisation in the county, we are responsible; he is not, and I submit that it would be fairer—considering that we are acting in this matter purely as judges—it will surely be fairer to dissociate the question of the responsibility for his selection from any question of his culpability for what he did after he was selected. His appointment was not of his own choice or seeking; it was our act, for which we are responsible. The question with respect to how he conducted himself thereafter is, I submit, all that we should enquire about when he is at the Bar.

Mr. WELDON (St. John). If the object with which I asked the question was to make the Government responsible, I would agree with my hon. friend, but I do not put it with that view. I think, in a matter of this kind, such a question may be important with regard to the personality of the individual whom I am questioning, by leading up to certain other points, but not with any view of holding the Government responsible for it in the sense in which I put the question. It is true that the Government are responsible for the appointment of a returning officer, but they may be entirely ignorant of certain facts which if they had known they would not have appointed him. Therefore, as far as the Government is concerned, the question cannot, as far as I can see, affect it in any way unless it was known to the Government. But I am not asking the question in the sense of attributing any blame to the Government. I am only asking his position in that respect, because it may affect the right afterwards to consider or question his conduct and acts.

Sir JOHN A. MACDONALD. I think the objection taken by my hon. friend behind me (Mr. Thompson) should be almost conclusive, but, under the circumstances, as hon. gentlemen desire that everything should be explained, I think the question may be put.

Mr. MITCHELL. I agree with the right hon. gentleman. If one has his house burglarised, or if a robbery is committed on his person, and he goes to Scotland Yard, they go a long way round in order to get at the motives for the act. Now, what we want to know is whether political or other influence inspired this man.

Some hon. MEMBERS. Ah, ah.

Mr. MITCHELL. You may "ah" as much as you like, but we want to know what political or other influence existed in this case.

Mr. GUILLET. I would ask the hon. gentleman if he thinks it any crime to belong to either party in this country, unless it be the secession party in Nova Scotia.

Motion agreed to.

Mr. DUNN. Has the House said that I shall answer the question?

Mr. WELDON (St. John). I think, Mr. Speaker, that when the House calls upon the witness to answer the question, he should not ask any questions, but should answer the question put to him.

Mr. SPEAKER. You are ordered to answer the question.

Mr. DUNN. At the time of my appointment as returning officer I was not a member of any political association, but I was the secretary of the Liberal-Conservative Association of Queen's county prior to my appointment. How long before I am not in a position to say, because I cannot remember.

An hon. MEMBER. About how long?

Mr. DUNN. I may have been within a month; I cannot tell exactly.

Mr. WELDON (St. John). I move that the following question be asked:—"Did you apply for the position of returning officer personally or by letter, and to whom? Were you aware or informed anyone had applied on your behalf for the position? If so, who were you informed had done so?"

Motion agreed to.

Mr. SPEAKER. The House has ordered you to answer that question.

Mr. FERGUSON (*Counsel*). On behalf of the witness I object to the question.

Mr. MITCHELL. Too late.

Some hon. MEMBERS. No, no.

Mr. MITCHELL. According to the ruling of Mr. Speaker, these objections must be taken before the questions are read and ordered by the House.

Some hon. MEMBERS. Sit down.

Mr. MITCHELL. I will not sit down. I generally get through with what I have to say, and I intend to do so now. I take the objection that according to your ruling any objection to be taken by the counsel for the person at the Bar should be taken before the House orders the question to be put.

Mr. THOMPSON. Strictly speaking, that is no doubt the case, but in this instance I think the question was put to the House and declared carried before it was sent down to be examined, and I think it would be strict to insist upon it in this case.

Mr. McCARTHY. But I submit that the counsel at the Bar cannot interfere until the House pronounces upon the question. He is not sitting on the floor of the House, and cannot join in the debate, and until the question is put by

you, Mr. Speaker, it would be irregular for the counsel to open his mouth. The objection must come after, I think.

Mr. MILLS (Bothwell). That is not the point. No one supposes that the counsel should state his objections until the question is put, but the counsel did not submit his objection until the motion was declared carried. The counsel had the question in his hands when the Speaker declared it carried.

Mr. DALY. Are we to understand from the remarks of the hon. member for Bothwell, that as soon as you put the question, the counsel is to get up and say, "no, it is not carried."

Mr. MITCHELL. I do not wish to press the objection.

Mr. FERGUSON (Counsel). I object to this question on the ground that the returning officer is called to the Bar of the House to answer for his conduct in returning the candidate, and that this question, inasmuch as it goes into matters which occurred long anterior to his appointment as returning officer, is not within the scope of this enquiry.

Mr. MITCHELL. The objection is taken, and the Chair has ordered the answer to be given.

An hon. MEMBER. Sit down.

Mr. MITCHELL. I will sit down when I get through with what I have to say to the Chair. Therefore, I think the question should be answered.

Mr. SPEAKER. I certainly declared the question carried; but the hon. gentleman has himself stated that he does not press his objection. The case is just the same as when I declare a motion carried, some hon. member rises to speak to it, and by general consent the word "carried" is withdrawn. The question is whether the objection raised on the part of Mr. Dunn ought to be sustained by the House or not.

Mr. MITCHELL. I quite understand that. I withdraw my objection to the counsel taking his objection, but I do not withdraw my objection to the person at the Bar objecting to answer it. That is the thing.

Mr. THOMPSON. As regards the objection raised, I submit to the House that the cardinal rule in dealing with all these questions is what I suggested a few moments ago—not what we consider is material to the enquiry, but what may be material. It may be that I am stating a very wide and liberal principle in relation to the examination of witnesses; but I think it is safer, in consideration both of the dignity of the House and the rights of the person at the Bar, to be exceedingly liberal as to the questions to be put rather than to adhere to a too strict and technical rule. I think we are enquiring, not merely what took place on this occasion, but as to the good faith with which the person at the Bar acted; and in that view I submit that it may be material whether he set out with any design, or whether he performed in good faith the duties imposed upon him.

Motion agreed to.

Mr. DUNN. I applied for the position of returning officer. I asked a certain prominent political man of our county to use his influence to get me the position. I applied to Hugh McLean first, and afterwards I applied by letter to Mr. Baird for the position.

Mr. MITCHELL. A good man to apply to.

Mr. WELDON (St. John). The latter portion of that question has not been replied to: "Were you aware or informed of the fact that anyone had applied on your behalf for the position?"

Motion agreed to.

Mr. DUNN. I was informed that Mr. Baird had applied for me.

Mr. MCCARTHY.

Mr. WELDON. I move that the following question be put: "For what reason, when you made your return, did you not return the ballot papers and proceedings to the Clerk of the Crown in Chancery? Did you consult anybody as to your doing so, and who were your legal advisers?"

Motion agreed to.

Mr. DUNN. I did not return the ballot papers to the Clerk of the Crown in Chancery at the time I made my return, because I had been served with a certificate from the judge of the county court for a recount. I did consult a legal gentleman as to my act; the legal gentleman whom I consulted was Ezekiel McLeod, Q. C., of St. John.

Mr. WELDON (St. John). I move that the following question be now put: "Had you not refused to act upon the judge's order for the recount? Was not that order served on you before you made any return?"

Motion agreed to.

Mr. DUNN. I had refused to act upon the judge's order for a recount. That order was served on me before I made my returns. Am I allowed to give any reasons for my action, upon any of these questions being put to me? I have to answer, yes or no. Am I allowed to give my reasons for so acting.

Mr. THOMPSON. The witness ought to be instructed, as witnesses usually are in courts of justice, that he may add anything to explain or qualify his answer, and is not restricted to merely answering yes or no. But he must not go into matters outside the question.

Mr. SPEAKER. You are allowed to give explanations of the answers you have made, but not to go outside the question put to you.

Mr. MCCARTHY. I move that the following question be put:—"Why did you refuse to act on the order of the judge for the recount?"

Motion agreed to.

Mr. DUNN. I refused to act upon the order of the judge for a recount, because a rule *nisi* for a writ of prohibition was served upon me by order of Judge Tuck.

Mr. WELDON (St. John). I move that the following question be put:—"Were you a party named in such rule *nisi*? Was it not on a verbal statement of Mr. Currey as to what Judge Tuck said that you acted?"

Mr. THOMPSON. The latter part of the question tends to enquire whether Mr. Dunn was served with a rule *nisi* or not, or whether he refused merely on the verbal statement that a rule *nisi* had been issued. Still you proceed to interrogate him as to what the rule *nisi* contains. We should first ascertain whether he ever saw the rule *nisi*.

Mr. WELDON (St. John). When the judge orders a recount, Mr. Dunn shields himself under the rule *nisi*, and when he is ordered to produce the ballot boxes he shields himself under the order of Judge Tuck. He was no party to or called on to obey that order.

Sir JOHN A. MACDONALD. That is a question of law.

Mr. WELDON (St. John). That may be. I put the question whether he did not state, in consequence of what Mr. Currey told him, that he was the party named in the rule *nisi*. If my hon. friend takes the very sharp practice that the rule *nisi* is not here, the witness was wrong in referring to it. He based his answer on the fact that we were served with a rule *nisi*.

Mr. THOMPSON. I do not want to take any sharp practice. The hon. member is mistaken in saying Mr. Dunn was served with a rule *nisi*. If he was, the latter part of the question is wrong, because it asks him if he was not acting entirely on a verbal statement. All I suggested was

that we should ascertain whether the rule *nisi* was served before asking Mr. Dunn if he acted on a verbal statement.

Mr. DAVIES. He stated that, in consequence of a rule *nisi*, he refrained from acting on a recount then. My hon. friend put the further question: "Were you named in the rule *nisi*, or was it not in consequence of a verbal statement made by Mr. Currey, counsel for Mr. Baird, that you acted?"

Mr. TUPPER. Did he say a rule *nisi* was served upon him?

Mr. MILLS (Bothwell). We will find that out when he answers this question.

Mr. WELDON (St. John). To prevent any difficulty I propose the following question: "When you were served with the rule *nisi*, did not Mr. Currey make a statement?"

Mr. TUPPER (Pictou). I am not aware whether or not the witness has stated that a rule *nisi* was served upon him. I notice that the hon. gentleman proposes to ask what was said when the rule *nisi* was served upon him, but I have not heard the witness state that a rule *nisi* was served upon him.

Mr. WELDON (St. John). I understood that the witness said—

Mr. CHAPLEAU. Let us hear what the witness said.

Mr. WELDON (St. John). I asked him—

Mr. McCARTHY. Perhaps the shorthand writer had better write out the answer, and send it up to the Clerk.

Mr. DUNN. I am somewhat tired standing here, Mr. Speaker. Am I allowed the privilege of sitting?

Mr. TAYLOR. The witness has made application for a seat. I move that he be allowed a chair.

Mr. FOSTER. I move that the witness be given a chair.

Mr. SPEAKER. Will the Sergeant-at-Arms give the witness a chair. The answer sent by the shorthand writer is this: "I refused to act on the order of the judge for a recount, because a rule *nisi* for a writ of prohibition was served upon me by order of Judge Tuck."

Sir JOHN A. MACDONALD. That is clear.

Mr. WELDON (St. John). I propose that the following question be put: "Were you a party named in such rule *nisi*? Was it not in consequence of something said to you by Mr. Currey, the counsel for Mr. Baird, as to statements made by Judge Tuck that you refused to act on the recount? Did you not state to Judge Steadman that it was in consequence of Judge Tuck's statement as repeated to you by Currey, that you refused to act on a recount?"

Mr. LYONS (Counsel). Before the question is put, I would ask for the information of the witness if the former question is withdrawn, or is he to answer it?

Mr. SPEAKER. It has been withdrawn.

Motion agreed to.

Mr. DUNN. I have the copy of a rule *nisi* for a writ of prohibition which was served upon me here, and I place it in the hands of one of my counsel, and he may read it here for the information of the House, if the House permits.

Mr. WELDON (St. John). Put it in.

Some hon. MEMBERS. Order.

Mr. RYKERT. You cannot talk to the witness.

Mr. DUNN. It was not in consequence of something said to me by Mr. Currey, the counsel for Mr. Baird said—it was not in consequence of something said to me by Mr. Currey as to statements made by Judge Tuck that I refused to act on the recount. I did not state to Judge Steadman that it was in consequence of Judge Tuck's statement as repeated to me by Mr. Currey that I refused to act on the recount.

Mr. WELDON (St. John). The witness has not answered the first part of the question.

Mr. McCARTHY. He puts it in.

Mr. DUNN. I produce the rule.

Sir ADOLPHE CARON. He produces the rule.

Mr. WELDON (St. John). That is no answer to the question.

Mr. McCARTHY. It is the very best answer.

Mr. FERGUSON. I will read the rule.

Mr. THOMPSON. I propose this question—

Mr. DAVIES. Before that is done, I would point out that there is a question which has been asked by the hon. member for St. John (Mr. Weldon), or rather three questions—one question divided into three. The witness has chosen to answer two, and to utterly ignore one.

Some hon. MEMBERS. No.

Mr. DAVIES. Yes; he was asked whether he was a party named in that rule *nisi*. He has not answered whether he was or not.

Mr. McCARTHY. He puts it in.

Mr. CHAPLEAU. We are practically judges, and any judge can ask a question of the witness.

Mr. THOMPSON. He did not ignore the question, but answered it fairly when he said "I produce the copy of the rule *nisi*." My hon. friend from St. John (Mr. Weldon), will remember that, when a few moments ago I suggested that he should ask the witness whether the rule *nisi* had been served, and that, if that was the case, it was unfair to ask any questions as to what was contained in it, he said I was too strict and should not press that point. I felt that I should not proceed, because the witness might not have the papers with him, and my hon. friend might be restrained thereby from enquiring about something that might be pertinent. Now, that he has the paper we may make the enquiry.

Mr. WELDON (St. John). I asked him to read it. It is not a part of his answer. He may have stated that he copied the rule *nisi*, but he did not read it.

Mr. THOMPSON. It strikes me the question was fairly answered, and he offered to produce it. I move that this question be put: "Will you produce the rule *nisi* served upon you?"

Motion agreed to.

Mr. DUNN. I produce the copy of the rule *nisi* that was served upon me.

"IN THE SUPREME COURT.

"*Ex parte*, GEORGE F. BAIRD.

"Upon motion of Mr. L. A. Currey, and upon reading the affidavits of George F. Baird and Lemuel A. Currey, I do order that James Steadman, Esquire, judge of the County Court for the county of Queen's, in the Province of New Brunswick, T. Medley Wetmore and George G. King, at the next Easter term of this honorable court, do show cause why a writ of prohibition should not issue to prohibit James Steadman, Esquire, the judge of the County Court for the county of Queen's aforesaid, from in any way further proceeding with or to make a recount or final addition of the votes given for said George F. Baird and George G. King at the election held on the twenty-second day of February last past of a member to represent the electoral district of the county of Queen's, in the Province of New Brunswick, in the House of Commons of Canada, and from certifying the result of any such recount or final addition of the said votes to the returning officer of the said electoral district of the county of Queen's, and in the meantime and until further order of this court, let all further proceedings with, on or with reference to said recount or final addition of said votes, and such certificate of the result of any such recount or final addition of votes be stayed.

"Dated, March the ninth, A. D. 1887.

"(Signed) W. H. TUCK

"*Judge of the Supreme Court.*"

Sir JOHN A. MACDONALD. Let it be read as part of the answer.

Mr. THOMPSON. I move this question be put: "Are proceedings relating to the recount and the prohibition still pending in the Supreme Court of New Brunswick?"

Motion agreed to.

Mr. DUNN. From report, the proceedings relative to the recount and the prohibition are still pending. The rule was made absolute in the Supreme Court of the Province of New Brunswick, but the case had not been argued.

Mr. WELDON (St. John). Made absolute?

Mr. DUNN. The rule has been made absolute. Perhaps I am wrong. I say from report I saw in the newspaper that the rule had been made absolute.

Mr. WELDON (St. John). I move that this question be put: "You refused to act upon Judge Steadman's order for a recount on account of Judge Tuck's order, yet did you not make a return to the Clerk of the Crown in Chancery without the ballots and proceedings, although you were aware the proceedings were going on in the Supreme Court?"

Motion agreed to.

Mr. DUNN. I refused to act upon Judge Steadman's order for the recount on account of Judge Tuck's order, yet on the advice of Ezekiel McLeod, Q. C., and ex-Attorney General of the Province of New Brunswick, or one of the ex-Attorney General's, I made my return to the Clerk of the Crown in Chancery without the ballots and proceedings, although I was aware by report that the proceedings were going on in the Supreme Court.

Mr. WELDON (St. John). I move that the witness be asked the following question: "If you believed Judge Tuck's order extended to you as returning officer, how did you, in the face of the peremptory stay of proceedings on it, make a return nevertheless of Mr. Baird, the minority candidate?"

Mr. IVES. The question is hardly a fair one, for this reason, that the order read is a stay of proceedings in the recount, not an order to restrain the returning officer from making a return.

Mr. McCARTHY. I understand the stay of proceedings was to the judge, not to the officer.

Mr. DAVIES. The witness has stated that the reason why he did not return the ballot boxes was because he was prevented by the *nisi* directing a stay of proceedings. He is now asked: "Do you believe that the rule *nisi* was a peremptory stay of proceedings extending to you; if so, why did you fly in the face of it and return the minority candidate?"

Motion agreed to.

Mr. DUNN. I acted on the advice of Mr. McLeod. I produced the rule *nisi* for a writ of prohibition when I consulted him, and he told me it was simply against the recount, not against any return.

Mr. WELDON (St. John). I move the following question be put: "Why did you not forward the ballot papers and proceedings with the return?"

Motion agreed to.

Mr. DUNN. I did not forward the ballot papers and proceedings with the return because I was advised not to do so by Mr. McLeod.

Mr. WELDON (St. John). I move the following question be put: "Do you know L. A. Currey? What is his profession, and where does he reside? Had you any conversation or correspondence with him touching the objections to the candidature of Mr. King. State the substance of the conversation or correspondence."

Mr. LYONS (*Counsel*). I object to that question, on the ground, principally, that it is a very complex question. I think it would only be fair to the witness to break it up into

SIR JOHN A. MACDONALD.

three or four questions, if it is to be put at all. Several questions of the same character have already been put, to which I did not object, in our endeavor to have a full explanation, but fault was found with the answers, that they were not full enough. I submit that this is a question which it is very difficult for a witness to answer at one time.

Mr. THOMPSON. I should like the hon. member for St. John (Mr. Weldon) to explain the urgency of the question, which requires the person at the Bar to state the nature of the conversation he had with Mr. Currey about Mr. King.

Mr. WELDON (St. John). I might pursue the matter by first asking with respect to Mr. Currey, in order to show that Mr. Currey was not only the election agent, but was the law adviser of Mr. Baird at the election.

Mr. THOMPSON. Assuming that to be so, what have we to do with the opinion the witness expressed to Mr. Currey about Mr. King?

Mr. WELDON (St. John). In this way: If we show that he had a conversation with Mr. Currey as to his objections to Mr. King—

Mr. McCARTHY. Why not ask him directly?

Mr. THOMPSON. This is not merely a general question, but the witness is asked to state all the conversations he has had with Mr. Currey in regard to Mr. King.

Mr. WELDON (St. John). It is relative to the objection to Mr. King.

Motion agreed to.

Mr. DUNN. I know L. A. Currey. I believe he is a lawyer, and he resides in St. John. On the night previous to the election he walked out to the road with me when I was taking my usual walk, and told me he was going to object the next day—or he was talking about it; but I had no correspondence with him touching the objection to the candidature of Mr. King.

Mr. BURDETT. I move that the following question be put: "Who were the candidates at the late election for Queen's county? Did you receive their nomination papers and accept their deposits and grant a poll; and did a poll take place, and what number of votes were given for each candidate, respectively?"

Mr. THOMPSON. The only objection I have to that question is, that all the information asked for formally appears in the report made by this witness himself. We have it there more accurately and more fully than he can possibly state it. On page 16 he makes a special report upon it, and describes the deposit of the papers with him, the way in which the deposit of money was made, and the fact of holding the election, and subsequently the ballot papers were produced, and we ascertained how the majority of votes stood.

Mr. WELDON (St. John). I think he does not state the summing up of the votes—what the number of votes were.

Mr. BURDETT. Neither does he state that the return brought down in this report is a correct return. He says he believes it is, but I do not go much on this gentleman's belief. I want the facts. He says he believes that the return in the Votes and Proceedings is correct, but we may be led to the conclusion hereafter that it is not correct; and if he gives a plain answer to that question it can go in *Hansard* and in the Votes and Proceedings of this House, and then we will know just who were the candidates, whether they paid their deposits, whether they had a poll, and how many votes each received.

Mr. THOMPSON. The hon. gentleman says he does not want anybody's belief, and yet, in preference to the

ballots deposited on the Table and counted by the Clerk of the Crown, he prefers to ask the witness what he knows about them. If what the witness believes whom he and his friends have called to the Bar, is not satisfactory evidence, of what value will that be in which he does not believe? The witness answered, as I thought perfectly fair, as regards the correctness of the return put in his hands, as to their being copies or not—he was not allowed an opportunity of comparing them, but notwithstanding that he answered: I believe them to be true copies of the originals. Now I submit they are far better evidence than anything the witness can say about them, both as to the fact of receiving the nomination papers, and as to how the vote stood after a poll was had.

Mr. BURDETT. If the Minister of Justice states that he refuses to permit that question to be asked, and calls on his followers to vote it down—

Some hon. MEMBERS. Oh; shame.

Mr. BURDETT—otherwise I ask the question and I want it answered.

Mr. THOMPSON. I am not refusing to have it put; I am not asking any hon. gentleman to vote it down; I am not calling upon my followers or anybody else to vote at all. I am asking if it is not better to refer to the record we have in the Votes and Proceedings, as to anything which took place in writing and by the ballots cast in the election, than by asking the opinion of the witness at the Bar as to what the documents contained. I ask that, more especially in view of what the witness answered on a former occasion. It struck me that he answered it fairly, when he said he could answer only from recollection, but that he believed that the paper produced was a copy of the original paper. Can he answer this question more fully? Could we desire anything more than his admission that he believed that the official record of the papers was correct?

Mr. DAVIES. I think there is a good deal in what the Minister of Justice says, but the object which my hon. friend has, I presume, in asking the question, is to have in a succinct form all the material facts upon which hon. members may be guided, in coming to a conclusion hereafter. It is true, they may be governed by what is found in the Votes and Proceedings, away back on the 25th of April, but if the question is now asked the witness, it is not a question of belief. He knows who were the candidates, he is the man who received the money, he knows whether he received it or not; he is the man who had the poll and he knows whether—

Some hon. MEMBERS. We all know it.

Mr. DAVIES. We know it unofficially, as we know many other facts, but not officially.

Some hon. MEMBERS. Yes, we do.

Mr. DAVIES. I do not intend to argue the question; the information may perhaps be fairly gathered from the papers, but there are many hon. members who think it would be advisable to have this information from the witness' own mouth, in a clear, succinct form, as the facts are within his knowledge. My hon. friend (Mr. Burdett) reminds me that these ballot papers never went to the Clerk of the Crown in Chancery at all, and, therefore, I think this is a proper time to ask that particular part of the question.

Mr. McCARTHY. Does the hon. gentleman say that the ballots were not sent to the Clerk of the Crown in Chancery?

Some hon. MEMBERS. No, they were not.

Mr. McCARTHY. They were returned from him.

Mr. DAVIES. They were ordered by the Order of this House.

Mr. McCARTHY. To the Clerk of the Crown in Chancery.

Mr. WELDON (St. John). But not in a formal way.

Mr. McCARTHY. What is the difference when they came through his hands? What more formal statement could we have than the announcement printed in the papers. If it is important to have a statement from the witness, and if that is to be treated as better evidence than the return itself, then we may have to ask the whole story. Surely we should rely on the written evidence we have as the best evidence.

Mr. THOMPSON. I call the hon. gentleman's attention to page 16 of the Votes and Proceedings, in which the report of the returning officer appears, and then to page 73, where the other documents appear. The question is asked whether he did not receive the nomination papers of the two candidates. Now, on page 73 he not only admits that he received them, but he sets them out in full, and then on page 77 he gives the number of votes cast for each candidate in the election. I can assure hon. gentlemen opposite that so far as members on this side are concerned there will be no pretence that that record is not before the House.

Mr. TUPPER. Not only so, but on the evidence which has been referred to, and which is found in the Votes and Proceedings, hon. gentlemen contended at great length that no further evidence should be taken in this case; that everything was fully before the House; that the House was seized of all the facts, and should come directly to the conclusion that Mr. King was the candidate who should have been returned at that election—the candidate who was properly nominated, the candidate whose nomination was fully explained by the returning officer's return, the candidate who received the majority of the votes—and they asked the House on that ground to say that there was no reason for enquiry, no further evidence to be produced and to vote Mr. King into Mr. Baird's seat. After taking that ground it does seem odd that they should to-night pretend that this evidence is insufficient, or difficult to be understood, and that we should now begin all over and have the evidence taken orally with these official documents before us.

Mr. DAVIES. Perhaps the explanation may be found in this fact, that the papers may have been in such confusion as they came from the returning officer, as to lead my hon. friend to come to the conclusion that Mr. King did not receive a majority, while they led other hon. members to the conclusion that he did.

Mr. TUPPER. There was no confusion about the facts; the facts were admitted. The decision of the House was in favor of leaving this matter to the election courts, and there was no dispute as to the facts. No hon. gentleman in that discussion raised a single question of fact. The discussion was on a question of law, pure and simple.

Mr. WELDON (St. John). Assuming all that the hon. member for Pictou says, I do not think it makes this question an improper one.

Sir JOHN A. MACDONALD. We have the best possible evidence on this question before us. The hon. gentleman wishes to supplement the best evidence possible by inferior evidence.

Mr. BURDETT. I do not wish to be technical in this question, but the point that occurs to me is this, that the witness does not admit the accuracy of the copy of the original document. He says there may be verbal differences. For all we know, the verbal differences may be that Mr. Baird had the majority of votes, and it may be asserted by the person at the Bar and his friends. If the person at the Bar is willing to admit that the documents in the Votes and

Proceedings are accurate, and is willing to be bound by them as accurate, I am willing to withdraw the question; but I want to have no escape from this point—that the minority candidate was returned by this man with the knowledge of what he was doing at the time.

Mr. THOMPSON. I wish to suggest to the hon. member for East Hastings that his purpose would be much better served by putting the documents in the hands of the witness and asking him to admit their correctness. I think that should be done in any case.

Mr. BURDETT. I am not going to press the question to a vote, because I know the result of it. If the Ministers will not submit the question I will withdraw it.

Mr. DAVIES. I propose this question: "Why did you return the minority candidate Baird instead of the majority candidate King?"

Motion agreed to.

Mr. DUNN. I returned the minority candidate Baird instead of the majority candidate King, because after hearing the arguments that had been advanced before me on declaration day, both *pro* and *con*, I considered that Mr. King had not been properly nominated, and, therefore, could not be returned by me as the man having the majority of the legal votes; and afterwards, before I made my return, I consulted counsel, Mr. McLeod, and the counsel advised me to make the return that I did.

Mr. WELDON (St. John). I propose this question: "Was it under the advice of Mr. E. McLeod, that you returned Mr. George F. Baird as the member elected by acclamation? Was such advice in writing, and when received by you?"

Motion agreed to.

Mr. DUNN. It was under the advice of Mr. E. McLeod that I returned Mr. Geo. F. Baird as member-elect by acclamation. The said advice was both verbal and in writing. I am not in a position to say exactly when it was given. It was received by me prior to the time that the return was sent and made.

Mr. THOMPSON. Are there any further questions to be asked by the hon. gentlemen opposite?

Mr. WELDON (St. John). I have no further question.

Mr. THOMPSON. An opportunity ought to be given to Mr. Dunn to make any statement, if he has any statement to make.

Mr. LANDRY. I would like to submit one question: "Did you on nomination day, before two o'clock in the afternoon, advise Mr. King, or any one for him, to have a legally appointed agent?"

Mr. DAVIES. Same objection applies to that question which was successfully raised by the Minister of Justice to a question put by my hon. friend behind me. The facts are all stated in the return.

Mr. TUPPER. He says in the return:

"On my calling the attention of Mr. Wetmore to the fact that no election agent had been appointed by Mr. King, I was handed the appointment of John McLean McLean as election agent for Mr. King."

That is not an answer to the present question.

Mr. WELDON (St. John). He states that he did call attention to the fact that no election agent had been appointed by Mr. King.

Mr. McCARTHY. That is only advising him.

Mr. WELDON (St. John). The question has been put in the hands of the witness. I find he says:

"On February 15th, at 12 o'clock, I opened court for the nomination of candidates for the House of Commons of Canada. T. Medley Wetmore, Mr. BURDETT.

more handed me the nomination papers of George G. King, of Chipman, Queen's county, New Brunswick, merchant, accompanied by the sum of \$200."

That clearly must have been before two o'clock.

"On my calling the attention of Mr. Wetmore to the fact that no election agent had been appointed by Mr. King, I was handed the appointment of John McLean McLean as election agent for Mr. King. At two o'clock I granted a poll and announced the names of the candidates."

It seems to me, in view of the argument of the Minister of Justice, in reference to the motion of my hon. friend from Hastings, that we have it there very clearly that the nomination paper was put in, that the returning officer called attention to the fact that no agent had been appointed, and that at two o'clock he granted the poll. We have the statement here of the superior evidence, according to what the Prime Minister said, and now the hon. gentleman is asking for the inferior evidence.

Mr. THOMPSON. I should say, on reading the papers, that the inference was what the hon. gentleman suggests. The question is designed to ascertain the fact, so that it should not be left to inference.

Mr. BURDETT. My question was to get an answer as to facts, and not to leave it to inference.

Mr. THOMPSON. In that case the documents showed the fact without leaving any inference at all.

Mr. MILLS (Bothwell). So it is in this case.

Motion agreed to.

Mr. DUNN. On nomination day, before 3 o'clock in the afternoon, I did advise Mr. Wetmore to advise Mr. King to appoint an election agent, as I believed that Mr. King was rendering himself at that time liable to the penalty of a misdemeanor by not appointing him, by not appointing one.

Mr. AMYOT. At what time?

Mr. DUNN. I say it was before 2 o'clock.

Mr. LANDRY. I propose that this question be put to the witness: "Did you know on nomination day that the law required candidates to appoint agents and to notify you of the fact before 2 o'clock, and did you then know or had you considered the legal effect of the deposit being made by anyone on behalf of the candidate outside of the regularly appointed agent?"

Mr. MILLS (Bothwell). I think the latter part of that question is objectionable, because the hon. gentleman may draw wholly different conclusions as to what the legal effect of a certain act may be from the conclusions which I would draw, or those which the witness might draw. The hon. gentleman should confine himself to questions of fact. I do not think the latter part of the question should be put.

Mr. WELDON (St. John). It is not a question as to fact, but it is a question as to the legal effect. It is assuming a legal effect, which is a matter of law to be discussed.

Motion agreed to.

Mr. DUNN. I knew on nomination day that the law required candidates to appoint agents and to notify me of the fact before 2 o'clock; but I did not then know that the non-appointment of such an agent or the payment of a deposit by a person not an agent would have the effect I afterwards judged it would have upon the nomination paper.

Mr. LANDRY. If there be no other questions to ask the gentleman, and if I am in order, I would move that Mr. John R. Dunn be discharged from further attendance on this House.

Motion agreed to.

IMPERIAL TRUSTS COMPANY.

House resolved itself into Committee on Bill (No. 15) to incorporate the Imperial Trusts Company of Canada.—(Mr. Denison.)

(In the Committee.)

On section 4,

Mr. WELDON (St. John). There are two points in this Bill to which I desire to draw the attention of the Minister of Justice. I doubt whether we have power to pass such a Bill, which enables a company to exercise the functions which this company might do, as trustees of estates in the different Provinces, where the company might not be under the control of the courts of the Provinces. For instance, this company may have a head office in Toronto, and do business in New Brunswick and Nova Scotia, and yet be beyond the control of the courts of those Provinces. It seems to me the matter should be left to the Provincial Legislatures to be dealt with. Then there is another objection, that is, the propriety of incorporating a company of this kind which really deals with local matters within each Province, because there are very few matters which are interprovincial, with the exception, perhaps, of a railway or steamboat company which might have interprovincial lines. There is nothing under this Act that I can see which would not be of a provincial or local nature. It would be an unwise policy on the part of the Dominion to pass a Bill giving a company of this nature powers over all the different Provinces. That is a matter which should be fairly left to the different Legislatures to deal with.

Mr. THOMPSON. My attention was turned to that point and I came to the conclusion that the Bill was one within the power of this Parliament to pass. My reason for forming this opinion was this: The Bill is one to incorporate a company to do business in more than one Province, in fact in all the Provinces of Canada. It is true that if the Bill is of that description, and the company's transactions are of that description, or if its operations were confined to any one Province, it would not come within our power to pass it; but inasmuch as the company seek to do business in all the Provinces of Canada, it is not felt that any Provincial Legislature could pass it, and therefore this Parliament alone can pass it. I think the principle is clear—we have power to legislate over all those matters which are not assigned exclusively to the Local Legislatures. We have incorporated—and this observation I think will answer the hon. gentleman's question, both as to the constitutionality of the Bill and the propriety of passing it—we have passed two accident corporations of precisely the same character, and for precisely the same purposes. The hon. gentleman will remember that we have in almost innumerable cases incorporated companies to do fire, life, marine and accident insurance business in the different Provinces of Canada, and it is only because their operations are extended into more than one Province that we can empower a company to do business of that kind, which, after all, is only authorising them as a company to engage in private contracts. The point was raised in one case which the hon. gentleman will remember, the case of Dobie, in the Privy Council. It was there decided that the question of territoriality, if I may so call it, that is, the extent within which the company was to operate, is to be one test of its constitutionality. I take it, as I said at the outset, that inasmuch as this Bill provides to incorporate a company to do business in more than one Province of Canada, it is one which this Parliament can pass. Of course I appreciate the weight of what the hon. gentleman has said as to the propriety of creating a company to undertake the business of trustees in the different Provinces of Canada, and the danger of doing so, in

view of the fact that the company may not have a head office, or even a principal agency, in the different Provinces of Canada. It is not exactly the time to consider the propriety of a policy of that kind, when we have already incorporated two companies who are now actively engaged in that business, as I am informed; and if we decide that we should not incorporate this company, we are simply deciding that it is not wise to incorporate three companies, but it has been wise to incorporate two. If the company acquire any right whatever under this Bill to assume the office of trustee, of its own motion, and by its own authority, I certainly, as one member of Parliament, would oppose it strenuously. But the company can only exercise the office of trustee, or executor, or administrator, on being appointed by a legal tribunal, it can only be a trustee by the action of one of the superior courts in each Province. It would be for the court to consider whether this company should be appointed a trustee or administrator, in view of the fact that its head office may not be within the Province, and in view, likewise, of the fact that it may undertake that office, if appointed to it, without giving any security. At the same time, it is well to bear in mind the other provisions of the Bill, which are in the nature of security, to those for whom the office is undertaken as trustee, namely, the provision as to the payment of capital stock, or investment of a trust fund, and the supervision which the courts are empowered to exercise over it, from time to time.

Mr. WELDON. What two companies were incorporated?

Mr. DENISON. The Union is one, which is for the whole Dominion; and there is another one, which is also a trust company, in Toronto.

Mr. DAVIES. I do not think the Minister is correctly advised.

Mr. THOMPSON. I am. We found that Act, the Union Act, was more carefully drawn than this, and we extracted from it a number of clauses which we substituted for the clauses in this Act. There are two Dominion charters at the present time.

Mr. MILLS (Bothwell). Notwithstanding the position taken by the Minister of Justice that if the Act was Provincial, it could not do business over the whole Dominion, it seems to me that no matter where the company may be incorporated, from that moment it becomes a person in law, an artificial person, it is true, but nevertheless, a person who may do business in any part of the Dominion, in fact it may do business anywhere throughout the world, wherever it may be permitted to do so. Of course it may be legislated against in a Province, but it seems to me to be a very extraordinary policy to incorporate a company with Provincial objects to carry on business over the entire Dominion. I know that rule is laid down in the case to which the hon. gentleman has referred, but it was exceedingly questionable whether that was very fully argued, and whether, if it was reconsidered, it would be followed. It is anomalous, to say the least. We know that by the last clause of Section 92 of the British North America Act everything of a local or private nature belongs to the Provinces, and those not of a private or local character belong to the Dominion. But I do not see very well, if the Provinces were to adopt the policy in regard to questions within their exclusive jurisdictions, how we could create corporations to exercise authority within that jurisdiction. At all events if it were done, it would be an extremely bad policy to adopt, and yet that is practically what we are doing here. If the rule is one that is tenable and can be maintained, the whole functions of the Local Legislature might be brought within the jurisdiction of this Parliament by creating corporations to exercise powers exclusively vested in the Local Legislatures.

Sir JOHN A. MACDONALD. The Local Legislatures can always prevent that.

Mr. DENISON. These points brought up by the hon. member for Bothwell (Mr. Mills) have already been considered in the committee, and passed upon; and when we bear in mind the fact that a Bill on the same lines as this Bill has been passed by this House, I do not think this House will object to the present Bill.

Bill reported.

On motion for third reading,

Mr. DAVIES. I object, as I entertain some doubts with respect to this Bill, and I desire to look into some of its provisions.

Sir JOHN A. MACDONALD. You must repeal the other Act if you do not pass this Bill.

Sir RICHARD CARTWRIGHT. I do not see how this is any excuse for hasty legislation. There have been many cases in which acts of a very dubious character have passed through committee, and we would now be very glad if they had been more carefully considered.

SECOND READINGS.

Bill (No. 99) respecting the Ottawa and Gatineau Valley Railway Company.—(Mr. Wright.)

Bill (No. 109) respecting the Manitoba and North-Western Railway Company of Canada.—(Mr. Scarth.)

Bill (No. 106) to incorporate the *Standard* Printing and Publishing Company.—(Mr. McCarthy.)

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

Motion agreed to, and House adjourned at 11:40 p.m.

HOUSE OF COMMONS.

TUESDAY, 31st May, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

NEW MEMBER INTRODUCED.

The following member having taken the oath, and subscribed the roll, took his seat:

GEORGE MOFFAT, Esq., member-elect for the county of Restigouche—introduced by Sir John A. Macdonald and Mr. Burns.

FIRST READINGS.

Bill (No. 117) respecting the Western Counties Railway Company. (Mr. Mills, Annapolis.)

Bill (No 118) respecting the Guelph Junction Railway Company. (Mr. Innes.)

Bill (No. 119) to confer certain powers upon the St. Johns and Iberville Hydraulic and Manufacturing Company. (Mr. Coursol.)

Bill (No. 120) respecting the New Brunswick Railway Company. (Mr. Skinner.)

RULES RESPECTING PRIVATE BILLS.

Sir HECTOR LANGEVIN moved:

That in accordance with the recommendation of the Select Committee on Railways, Canals and Telegraph Lines in their fifth report, a Special Committee be appointed to assist Mr. Speaker in revising the rules respecting Private Bills, in so far as they relate to the incorporation of and amendment of Acts incorporating railway companies; the said Committee to be composed of Messrs. Kirkpatrick, Weldon (St. John), Hall, Edgar, and the mover.

Motion agreed to.

Mr. MILLS (Bothwell.)

CANNED GOODS.

Mr. BOWELL, in the absence of Mr. COSTIGAN, moved for leave to introduce Bill (No. 121) to amend the Act respecting canned goods. He said: This Bill simply provides that the word "soaked" shall be legibly printed in sufficiently large letters to be seen on packages of canned goods when sold. The present law provides that all packages of fruit and vegetables that are canned shall bear the word "soaked" upon them. It has been ascertained that this word has been placed upon packages in such small letters that it is not observed by the purchaser, thereby imposing upon him an inferior quality of goods, and this Bill simply provides that the word "soaked" shall be printed in letters of at least three-eighths of an inch in width and one half an inch in height.

Motion agreed to, and Bill read the first time.

CONVEYANCE OF LIQUORS ON BOARD HER MAJESTY'S SHIPS.

Mr. FOSTER moved for leave to introduce Bill (No. 122) respecting the conveyance of liquors on board Her Majesty's ships in Canadian waters. He said: By an Act of the British Parliament, passed in 1853, for maintaining better discipline on board Her Majesty's ships, it was provided by section 12 that spirituous or fermented liquors were not to be carried aboard such ships without the master's consent. The substance of this Bill was communicated to the Canadian Government last year, as also to the Governments of the Colonies, with a request that similar legislation to section 12 of that Act should be embodied in the laws of the different colonies and the laws of Canada; and it is in accordance with that request that this Bill is introduced. It provides that every person who, without the previous consent of the chief officer, conveys spirituous or fermented liquors on board Her Majesty's ships, or who sells or gives such liquors to any person on board Her Majesty's ships, is guilty of a misdemeanor and is liable, on summary conviction before two justices of the peace, to a fine of \$50 for each offence.

Motion agreed to, and Bill read the first time.

COUNTERFEIT AND IMITATION NOTES.

Mr. THOMPSON moved for leave to introduce Bill (No. 123) respecting the defacing of counterfeit notes and the use of imitations of notes. He said: The provision of the first section is that any person having the receipt or disbursement of public money, receiving a counterfeit note, shall have power to obliterate or deface it. The second section makes it penal to make or circulate any imitation of a bank note.

Motion agreed to, and Bill read the first time.

QUEEN'S COUNTY, N.B., ELECTION.

Mr. WELDON (St. John). Before the Orders of the Day are called, I rise to make a motion with respect to the Queen's County election return. Yesterday the returning officer in that election was examined at the Bar of this House. Although he stated that he had acted on the advice of counsel, I think it must be clear to every member of this House that he committed a gross violation of the law. While the law was clear and plain that he should return the man who had the majority of votes, he clearly did not do so; and he also did what—even if he had the right to exercise judicial powers, which I question—no judge in the land has the power to do, and that is, to reverse his own judgment. He accepted the nomination of the parties; he had given the receipt as required by law, as evidence of that fact; he had declared a poll, and appointed the deputy returning

officers; he had distributed the ballots with the names of the different candidates upon them. That poll was held on the 22nd of February, and when he received the returns of the different deputy returning officers, after summing up the votes and discovering that Mr. King had a majority, he then, as I say, in violation of the law—in fraud of the law—returned the man who was the minority candidate. On this matter I do not intend to address the House at any length, because the subject has already been pretty well debated. But we are now in this position, that the time required by the Election law for the filing of a petition has gone by. I may say that Mr. King feels that he has been deeply aggrieved, and that after the strife and trouble of a contest, he should not be subjected to the expense and inconvenience of another contest in the courts of law, which it would be almost impossible for him to attend to. He feels that if this House is powerless to correct the wrong which has been done to the rights and liberties of the electors of Queen's, it is not incumbent upon him as an individual to spend his time and money in endeavoring to vindicate those rights and liberties which he believes it was the bounden duty of this House to do. We stand in this position, as appears from the examination of the returning officer yesterday, that the individual whom he returned, and who sits in this House representing the county of Queen's, was the minority candidate, and a person who was not by law entitled to be returned. I say that was a fraud perpetrated upon the people, and if, with all the advantages which our election system is supposed to possess, such a wrong and violation of the law is allowed to be perpetrated, and this House is powerless to afford a remedy, then we had better return to the old system altogether. That Mr. Dunn has violated the law is perfectly clear; that he was the nominee of Mr. Baird whom he has returned, is also clear; and I think, so far as Mr. Curroy is concerned, the counsel and election agent of Mr. Baird, we can show that to a certain extent he was in communication with Mr. Dunn. In his examination yesterday the returning officer stated that he had had no communication with that gentleman, that he had not obtained his law books, and that he had not stated so on declaration day. Now, I find, in the report of the proceedings held on declaration day, that, at the conclusion, after he had changed his mind—

Mr. FOSTER. What are you reading from?

Mr. WELDON (St. John). I am reading from a report in the *Daily Telegraph* of the 7th of March of what took place in Queen's, by a reporter specially sent there. It says:

"After this there was an attempt to raise three cheers for the returning officer, at which honest men turned away, and then the fun began. Compliments flew around in an uncomplimentary manner, and John R. Dunn was the brunt of the attacking party. It grew so hot at last that he rose and said he had acted according to his conviction."

"Mr. T. N. WETMORE. Mr. Dunn told me only three days ago that he could not decide against Mr. King on the point in question in the nomination paper."

"Mr. KING. Mr. Dunn made a remark of a similar nature to me later than that."

"Mr. DUNN. I, like every other man, am subject to a change of opinion. I did tell Mr. Wetmore what he has said that I told him, but since that time, through the kindness of Mr. L. A. Curroy, I have been able to look at some of his law books and have been led to change my opinion. I have done what I think is right and I will stand by it."

"Mr. KING. I would ask you, gentlemen, not to argue this matter further now. It will be argued elsewhere."

"The crowd dispersed, and it was noticeable from the general tone of the conversation on the streets and in the hotel, that Mr. King had the warm sympathy of every honest Conservative and every Liberal present."

I read that, because I know that while an attempt was made to impugn the veracity of that statement, it was subsequently admitted by persons there present, who were friendly to Mr. Baird and Mr. Dunn, to be a correct statement of what took place on that occasion. Now, it appears also that an order was made by one of the judges of the Supreme Court which did not call on Mr. Dunn to show cause in any shape or

form, but which was simply a rule nisi obtained to require the judge of the county court, Mr. Medley Wetmore and Mr. King, to show cause why a writ of prohibition should not issue, in the meantime all proceedings being stayed. In that writ Mr. Dunn was not mentioned at all, and while I am not here to argue whether that rule nisi should have been issued, or whether the Supreme Court had any jurisdiction at all, I do contend that Mr. Dunn sheltered himself behind it to refuse to comply with the explicit direction of the Election Act, to return the ballot papers to the judge of the county court for a recount, and at the same time to make a return to the Clerk of the Crown in Chancery. He did make a return, but not the return required by law. He simply sent a certificate of the return of one of the candidates, stating that the other candidate was not duly nominated. Yesterday, I asked Mr. Dunn how he came to obey that rule nisi, whether it was not in consequence of a statement made by Mr. Curroy, as to what the judge told him at the trial. Now, I find in the *Telegraph* of the 12th of March a report of the proceedings before Judge Steadman, as follows:—

"It was then pointed out to the court by the counsel that the rule nisi was a matter between the Supreme Court and Judge Steadman, with which Mr. Dunn was not concerned or was his name even mentioned in it, and Judge Steadman was requested to intimate to Mr. Dunn his opinion that Judge Tuck has no jurisdiction in the matter. Judge Steadman then said that such was his opinion and clearly manifested by his being there ready to proceed."

"Mr. Dunn then said that when Mr. Curroy served him with the paper he told him that Judge Tuck had said to Curroy to say to him, Dunn, that that paper was equal to a command to produce this statement and ballots, and he, therefore, declined to produce them."

It is quite clear that the returning officer sheltered himself under that rule nisi for the purpose of evading the requirements of the law and the order of the judge of the county court, and of committing a gross violation of the law. Now, I say that every member of this House, no matter what party he belongs to, must feel that this was a clear violation of a provision of the law, which did not require the assistance of legal advisers to explain, but a clear and plain statement that any man could read and understand. I feel, Sir, strongly with regard to this election, as it took place in the Province in which my own constituency is situated; but I feel further that this is a matter of moment to every man who has a seat on the floor of this House. It is a matter of consequence to every man who has a right to exercise his franchise. It is the right of every elector that is now at stake, because, let us admit that the returning officer may thus violate the law, and the privileges and rights of the electors may be trampled on with impunity. If the law is so defective that this can go unpunished, and that a man who has not been elected to represent an electoral district can still sit in this House for years to come, I trust that the Minister of Justice and the Government will without delay bring in a Bill to remedy this state of affairs and prevent such an outrage—for I cannot characterise it by any other name—being perpetrated on the electors of any electoral district. It is not merely the present but the future we have to look to. I find in this matter, because Mr. King was a Liberal and Mr. Baird a Conservative, that it is made a party question, but I find, and I say it to the credit of the press, that a great portion of the press which support the Government have denounced this proceeding in as strong terms as the press on the Reform side. That shows what the public opinion of a country is. If that is the public opinion, as expressed by the press of both sides, I think it is the bounden duty of the House to give expression to public opinion, and teach returning officers and others connected with elections that the law must be obeyed. When a man has obtained his seat by improper means, although he had the majority of votes, the law is clear as to the course to be pursued to ascertain whether he has rightly obtained his seat or not. After a

ballot has been demanded, and a poll granted, and the electors have cast their votes, the question as to whether the candidate who has the majority of votes has the right to the seat is not one for the returning officer to determine, but is left to the tribunal specially authorised to deal with it. The act of the returning officer in this case was an invasion of the rights of the people. To show the opinion of Parliament, I may refer to what passed in 1873, when this Parliament legislated on that subject. That legislation dealt with the only instance in which the returning officer has special authority given him to ignore the candidate who has the majority of votes, viz.: that where a man is a member of either branch of the Local Legislature, at the time he is nominated for the Commons and runs his election, and is disqualified by the law of the Province in which his election takes place, from sitting, on that account, in the Dominion Parliament, the returning officer shall ignore the vote given to him and return the other candidate. That is a special law, and the fact that it is a special law shows to my mind clearly that the views of Parliament were that, without that special power being given the returning officer in that special case, although the candidate was disqualified to be elected and nominated by virtue of an Act of the Local Legislature—without this express provision of our Parliament the returning officer would be bound to return him. I presume upon that principle the Prince Edward Island case may be defended, because the ground taken there was that Mr. Robertson had not ceased to be member of the Local Parliament of the Island and, therefore, was disqualified to be elected for this House. So far as that case is concerned, and it has been cited as an authority, it was founded upon that very Act. I am not going to discuss the question of deposit; all I will say is that even if the nomination had been improperly made, it having been acted upon by the returning officer, his judicial powers with regard to it had ceased, and the only tribunal to deal with the matter was the tribunal created by this Parliament. When Mr. King, who was so nominated, had the majority of votes, he should have been returned. Therefore, I consider this act of the returning officer, viewing it in the position in which it stands, viewing the facts we have before us, as one of the greatest encroachments upon the liberties and rights of the people. It is an encroachment, which, if allowed to go forward as a precedent, will imperil the election of every man who offers himself as a candidate, and, instead of being returned by the voice of the people, it will only be by the whim, or caprice, or the villany—if I may use an expression perhaps too strong—of the returning officer, because the returning officer, blindly shutting his eyes to the law, will seek to exercise jurisdiction where he has no right, and return the candidate with whom he is in sympathy, political or otherwise, or in whose favor he has been influenced through corrupt motives, and who is by no means the choice of the people. I beg, therefore, to move:

That the second report of the Select Committee on Privileges and Elections be not concurred in, but that it be resolved: That, in view of the provisions of the Dominion Elections Act, Revised Statutes of Canada, chap. 8, and the duties of a returning officer as therein defined, and also in view of the facts elicited on the examination of Mr. John R. Dunn, the Returning Officer of the Electoral District of the County of Queen's, N. B., at the last election for the said district, and it appearing that nominations were received, a poll granted and held, and that at the summing up of the votes Geo. G. King had 1191 votes and Geo. F. Baird 1130 votes, it was the duty of the said John R. Dunn, at the said election, to have declared and returned Geo. G. King as the member elected for the said electoral district.

Sir JOHN A. MACDONALD. This is a very grave matter, and it would have been well, although not obligatory on the part of the hon. gentleman, to have given notice.

Mr. SPEAKER. I think the duty of the Speaker is to notify the member whose seat is in jeopardy—

Mr. WELDON (St. John).

Mr. MACKENZIE. But Mr. King is not here.

Mr. SPEAKER. The hon. member for Queen's, N. B., may offer any explanations he has to offer on this motion now; and if he has none, he will please withdraw from the House.

Mr. BAIRD. I would take this opportunity of explaining to the House—

Sir JOHN A. MACDONALD. I rise for the purpose of suggesting this. This is a very grave question which has been sprung upon the House without notice, and one has not had the opportunity of considering the phraseology even of the resolution now in your hands, and I should therefore desire that it should stand as a notice and be brought up to-morrow.

Mr. WELDON (St. John). I have no objection to that.

Sir JOHN A. MACDONALD. I move the adjournment of the debate, and that it should stand on the paper.

Mr. WELDON (St. John). As the first Order to-morrow.

Sir JOHN A. MACDONALD. It is a matter of privilege and can be brought up at any moment.

Motion agreed to, and debate adjourned, to stand as the first Order of the Day for to-morrow.

BANFF NATIONAL PARK BILL.

Mr. WHITE (Cardwell) moved that the House concur in the amendments made by the Senate to Bill (No. 16) respecting the Banff National Park. He said: The amendments are not of very great importance. The first amendment is a change in the name of the park. Under the Bill introduced here, it was called the Banff National Park. The Senate propose to call it the Rocky Mountains Park of Canada. The second amendment has relation to the power of making regulations for the preservation or protection of game and fish, and the amendment is to add after "fish," "and wild birds generally and." The third amendment has relation to the imprisonment proposed to be imposed for an infringement of the regulations. The Bill as it left this House, provided for imprisonment of three months. The amendment is that it shall not be more than three months. The fourth amendment has relation to the promulgation of the regulations. According to the Bill, every regulation was to be published for four consecutive weeks in the *Canada Gazette*, and the Senate has added: "and in any other manner provided by the Governor in Council." Then there are two new clauses inserted. The first is as follows:—

"Nothing in this Act contained shall affect the obligations of the Government, if any, arising out of the acquisition of the North-West Territories."

This has reference to a question which has been raised whether the Hudson Bay Company have any right in that section at all or not. It being an open question, their rights, if they have any, are simply preserved by this section. The other clause is this:

"This Act may be cited as the Rocky Mountains Park Act of 1887."

The title when the Bill left this House was: "An Act respecting the Banff National Park." It is now a Bill: "respecting the Rocky Mountains Park of Canada."

Motion agreed to, and amendments concurred in.

SENATORIAL REPRESENTATION FOR THE N. W. T.

Sir JOHN A. MACDONALD moved that the House concur in the amendments made by the Senate to Bill (No. 17) respecting the representation of the North-West Terri-

atories in the Senate of Canada. He said: The Senate have added certain provisions. One is this:

"No person shall be appointed a Senator under this Act unless he possesses the qualification provided for by section 23 of the British North America Act of 1867; and for the purposes of this Act, the word 'Province,' wherever it is used, shall be considered to mean the North-West Territories."

This subject was introduced by the hon. member for Bothwell (Mr. Mills) here. The Senate consider that the question of residence is not sufficiently specified. On looking at the British North America Act, I find it declares that a Senator shall be resident in the Province he represents, and this is, in fact, to provide that the term 'Province' shall include the North-West Territories, so far as a Senator coming from that part of Canada is concerned.

Mr. MILLS (Bothwell). I did not hear exactly what the hon. gentleman said. Was there not something about the qualification beyond the question of residence?

Sir JOHN A. MACDONALD. The proposed amendment is:

"No person shall be appointed a Senator under this Act unless he possesses the qualification provided for by section 23 of the British North America Act of 1867; and for the purposes of this Act, the word 'Province,' wherever it is used, shall be considered to mean the North-West Territories."

We may not have the power in any way, but there is no harm in stating it in the Act. I went a considerable way in the direction of the argument of the hon. gentleman opposite.

Motion agreed to, and amendments concurred in.

PENITENTIARY ACT AMENDMENTS.

Mr. THOMPSON moved the second reading of Bill (No. 65) to amend the Penitentiary Act.

Sir RICHARD CARTWRIGHT. Will the hon. gentleman explain what he desires to do?

Mr. THOMPSON. Perhaps the hon. member was not in his place when I moved the resolutions on which the Bill is founded. The object of the Bill is, in the first place, to make a definite provision for the salaries of the officers composing the staff of the different penitentiaries. It is found that that provision is, to some extent, made in the existing Act, but that Act simply fixes the maximum of the officers' salary. It is proposed in this Bill that all the officers—as hon. members will see on referring to the schedule—shall begin at a fixed minimum, and proceed, the superior officers by increases of \$50 a year, and the inferior officers by increases of \$30 a year, until they attain the maximum. This will avoid the inconvenience of depending on uncertain circumstances as they occur from time to time. Then another branch of the Bill is intended to make provision for the regulation of perquisites. As I explained to the House in moving the resolutions, the practice has grown up of allowing the principal officers certain perquisites, such as fuel, light, the keeping of a horse or a cow, and a certain amount of convict labor. It is intended still to continue the practice of allowing to all the officers, in so far as it is possible, a house on the penitentiary property, because there is a great advantage to the institution in having the officers close at hand. But it is proposed to abolish all other perquisites, except what are mentioned in section 8, which is, that the house, and grounds and gardens immediately attached to the house, may be kept in order by convict labor. All other perquisites, such as the keeping of a horse and carriage, fuel, and light, are to be abolished. Then there are regulations as to retiring allowances and gratuities. There is no increase in the gratuities which it is proposed to allow, except that the Governor in Council is permitted a discretion to increase

the gratuities of an official who has been injured in the service of the institution.

Mr. MILLS. The hon. gentleman, I see, provides here, by section 5, a retiring allowance to be paid to any party dependent upon the employé, equal to the salary which the employé receives. Is not that a pretty wide departure from the rule recognised generally in the Civil Service?

Mr. THOMPSON. The hon. member refers, I think, to section 6 instead of section 5. But the gratuity is not in any case to exceed the amount of salary for two months next preceding the date of retirement, or three months next preceding that date.

Motion agreed to, Bill read the second time, and House resolved itself into Committee.

(In the Committee.)

On section 4,

Mr. MULOCK. I would call the attention of the Minister of Justice to this provision for a gratuity on the basis of the officer's salary. I would ask him whether that gratuity is to be calculated on the salary which he receives at the commencement of the term, the middle of the term, or at what period? The Bill says that he is to receive a gratuity of half a month's salary for the first five years, and of a month's salary for each of the other years of service. Of course his salary is a changing quantity. It is material to provide whether it is to be on the basis of his highest salary, namely, at the time of his retirement, or at some other period.

Mr. THOMPSON. The gratuity is now paid on the salary which he receives at the time he leaves the office. This Bill provides that the gratuity or retiring allowance may be calculated at the rate of half a month's salary for each year of his service up to five years, and a month's salary for each year of service in excess of five years. The salary, it is true, will be changing from time to time, but after the five years the gratuity will be calculated on the increased salary.

Mr. MULOCK. It is open to argument on the text of the Bill on what the gratuity should be calculated. If it is intended that he is to be paid this gratuity, calculated on the highest salary received at the time of his retirement, it ought to be made clear to him.

Mr. THOMPSON. We have no objection to make it so. But the hon. member will see by the schedule that before the five years shall have elapsed he will have obtained his maximum.

Sir RICHARD CARTWRIGHT. What is the object of introducing the words: "or retiring allowance." If I understand the object aright it is simply to give a gratuity of so many months' salary. I do not see any object in introducing the words "or retiring allowance," because it is not intended to confer any pension.

Mr. THOMPSON. Gratuity and retiring allowance are used as convertible terms, and in the Orders in Council both terms are used.

Mr. MILLS (Bothwell). I desire to enquire whether the phraseology of sub-section 2, with respect to increases of salary in the Department of the Minister of Justice, is the same as that respecting salaries in the other Departments; and, also, whether any more power is granted to the Minister of Justice with respect to increases of salary than is given to any other Minister?

Mr. THOMPSON. The Bill does not confer on the Minister of Justice any larger powers than are possessed

by the head of any other Department; but I am not able to say that the words in the Civil Service Act are precisely the same, although the effect is the same.

Sir RICHARD CARTWRIGHT. Who are entitled, under the present rules, to receive a superannuation allowance?

Mr. THOMPSON. Only those officers appointed by Order in Council.

Sir RICHARD CARTWRIGHT. How low does that go?

Mr. THOMPSON. The officers included are the warden, deputy warden, surgeon and accountant. The chaplains are mentioned as being appointed by Order in Council, but they are not on the superannuation list.

Mr. DAVIES. Is there any change in the salaries?

Mr. THOMPSON. The minimum is less than at present, the maximum is in some cases greater.

Bill reported, and read the third time and passed.

CHINESE IMMIGRATION.

Mr. CHAPLEAU moved second reading Bill (No. 54) to amend "The Chinese Immigration Act."

Motion agreed to, Bill read the second time, and House resolved itself into Committee.

(In the Committee.)

Mr. CHAPLEAU. As I have already said in introducing the Bill, this measure is practically a repetition of the Bill which passed the House last year on the same subject, with the exception of the first clause, which says that no duties shall be payable under this Act in respect of any woman of Chinese origin who is the wife of a person who is not of Chinese origin, and who, for the purposes of this Act, shall be of the same nationality as her husband. Another clause provides for the passing of Chinese *in transitu* by railway through the country. The next section provides for the procuring a passport or certificate of leave for Chinese residents of British Columbia, who desire to visit their native country, with the intention of returning within three months. It is also provided that the person who presents a fraudulent certificate shall be liable to a penalty, and that one-fourth of the duties and penalties under the Act shall be paid, after all costs, to the Provincial Government of British Columbia.

Mr. MILLS (Bothwell). The hon. gentleman proposes that the Chinese wife of a British subject shall not be treated as a Chinese woman, but under his policy, when a Chinaman is married to a woman who is not of Chinese origin they are both treated as being of Chinese origin. The hon. gentleman has made enquiry into these matters, and he knows what statements are made with regard to the morals of the Chinese, and it would seem to me that this was almost legislating in such a way as rather to militate against the morals of those people.

Mr. CHAPLEAU. I refer the hon. gentleman to the report of the Chinese Commission for any information on that subject, but I may say that experience has shown that Englishmen coming from China who are married to Chinese women, were obliged by the Customs officer to pay the duty for their wives and children. It really strikes anyone that the wife of a man who is a Christian and a British subject should not be subjected to that duty, for, according to a law which is higher than ours, being married they are both one, and they should be treated as one.

Mr. DAVIES. As I understood the scope of the question raised by the hon. member for Bothwell (Mr. Mills), it was whether it was not desirable, in the interests of morality, that married Chinese women should be admitted free of this duty.

Mr. THOMPSON.

Mr. CHAPLEAU. As I understand the remarks of my hon. friend, he thinks it would probably encourage the immigration of married people among the Chinese if this restriction were removed. Well, Mr. Chairman, I fear that in that case there would be considerable difficulty. As has already been stated, there was a political difficulty felt in allowing Chinese immigration into America, without certain checks and restrictions, and in the United States that has been recognised to an extent to which we do not feel disposed to go in this country, but I do not think it would be wise at the present moment to prevent Chinese married women from paying a duty in the same way as their husbands do, and thus encourage, instead of preventing, Chinese immigration.

Mr. MILLS (Bothwell). That is precisely the point which I would bring under the hon. gentleman's attention, because the hon. gentleman's regulations at present practically prohibit married men from coming into the country, because this prevents them from bringing in their wives. I think there are social grounds upon which that policy ought not to be persisted in. If the hon. gentleman is disposed to exclude Chinese immigration altogether, that is, of course, a perfectly intelligible policy. If he proposes to restrict the immigration by imposing a tax on every male coming from China, that is an intelligible policy; but when he proposes to impose a tax indiscriminately on every Chinese man, woman and child that comes into the country, he proposes a policy which, I think, is not in the interest of public morality.

Mr. CHAPLEAU. There is this inconvenience: when a Christian or a British subject marries a Chinese woman, proof of the marriage can be made which is satisfactory to the authorities. But we know that by the customs prevailing in China not one wife merely is allowed, but several; there the concubine is called the second wife; and when the Pacific coast Province is complaining that Chinese immigration is already too great, and that the majority of the female immigrants are such as should not be encouraged, it is easy to see what abuses and difficulties would result if they were allowed to come free into British Columbia on the pretence of being married.

Mr. DAVIES. That seems to be a fair ground of argument, and perhaps the hon. gentleman is right; but to one who has not had the same opportunity of studying the question that he has had, the very opposite result would appear to follow from his policy. The people protest against the introduction of the Chinese because a class of women who are not desirable come; but the question my hon. friend raises is whether, if you adopt the more generous policy and allow the better class of Chinamen to come with their wives, the objections now naturally felt against Chinese immigration would be materially lessened. I think the subject is worthy of consideration.

Sir JOHN A. MACDONALD. The whole policy of this measure is to restrict the immigration of Chinese into British Columbia and into Canada. On the whole, it is considered not advantageous to the country that the Chinese should come and settle in Canada, producing a mongrel race, and interfering very much with white labor in Canada. That may be right, or it may be wrong; it may be a prejudice or otherwise; but the prejudice is universal. Whether it be in the United States, in Australia or in Canada, white labor and Chinese labor will never work harmoniously together, and we shall have the same scenes in Canada, if that immigration is permitted, that we have seen so lamentably exhibited in the United States. The policy of the Act which now exists is to restrict Chinese labor, and therefore any step which is contrary to the principle of the measure which received the sanction of Parliament, I believe, would not be satisfactory to those portions of Canada where Chinese labor has been introduced to

any extent. I think my hon. friend the Secretary of State has hit exactly on the objection to the admission of the wives of Chinese immigrants. If that were allowed not a single immigrant would come over without a wife, and the immorality existing to a very great extent along the Pacific coast would be greatly aggravated in Canada. Under the system of Chinese labor as it now exists, the Chinese come over and make a little money and then go back. That is the least objectionable form of Chinese labor; but I do not think it would be to the advantage of Canada or any other country occupied by Aryans for members of the Mongolian race to become permanent inhabitants of the country. I believe it would introduce a conflict between the working classes which would only result in evil. If there could be no other labor obtained than Chinese labor, perhaps the argument of necessity or great expediency might prevail; but now there is not much difficulty in getting white labor in any part of Canada. Under these circumstances, to encourage Chinese labor would be merely to prevent white labor settling in those portions of the Dominion where Chinese labor was settled to any extent. As regards the clause for which this Bill was principally introduced, to allow a Chinese woman married to a British subject, and taking the nationality of her husband, to enter free, that is obviously right. The law worked so absurdly in the case of Mr. Moore, an English gentleman of standing, who married a Chinese lady 20 years ago, that when they arrived at Victoria he was obliged to pay \$50 for his wife and \$50 for each of his children. Of course, in the case of his children, the money was refunded the moment the matter was represented here, on the ground that the children were British subjects, taking the rank and nationality of the father; and there is no doubt they were not Chinese in the meaning of the Act. But there was no means of remitting the fine on the wife, who was a Chinese woman in every respect; in the opinion of the Minister of Justice, there was no remedy but to collect the fine. I think it would be a great relaxation—a reversal, in fact, of the policy which was approved of by Parliament for the restriction of Chinese labor, to adopt the suggestion of hon. gentlemen opposite, to remove the restriction as respects the wives of Chinese men.

Mr. MILLS (Bothwell). I do not intend to allow the hon. gentleman to misrepresent my position.

Sir JOHN A. MACDONALD. I have no desire to misrepresent it.

Mr. MILLS (Bothwell). Nevertheless, the hon. gentleman's whole line of argument has been in that direction. I said nothing about relaxation of the regulation proposed, or of the policy on which the Government has entered. I said nothing about the desirability of having Chinese in this country in competition with the labor of the ordinary white settler. If there is any ground of complaint on that score the hon. gentleman himself is answerable for it, for I believe the hon. gentleman refused to allow Chinese labor to be excluded from British Columbia, or to confine those engaged on public works, especially in connection with the Canadian Pacific Railway, to the employment of white labor. The hon. gentleman has not proposed to exclude the Chinese. He has not proposed to put such a capitation tax on them that would completely exclude them from the country. He permits them to come here under certain restrictions. I do not think that this restriction, except in so far as it acts as a prohibition, is of any advantage to the laboring classes. I apprehend, so far as British Columbia is concerned, that the competition of the white and the Chinese labor there is just as active as it was before the hon. gentleman imposed his restrictions, because there are several thousands of these people within the limits of that Province. If you permit the Chinese to come here at all, you had better permit them to come in as

settlers. What does the hon. gentleman say, and what do all those who object to Chinese immigration, say? They say that the Chinese come to this country, enter into competition with our laborers, spend nothing in the country, acquire no real property, and, as soon as they earn enough money, leave the country. That is the chief reason given for excluding them. It is in the moral interest of the Chinese, and of the community in which there are Chinese settlers, that we should allow Chinese women to come in, that we should allow them to bring in their wives, and that we should not impose a tax on the wife as we do on the husband. By imposing such a tax we legislate against the morals of the community. The hon. gentleman may say no, but it is the fact. It would be better to double the capitation tax on the men than to persist in the policy laid down in the Bill. If the hon. gentleman thinks there are too many Chinese in the country, let him double the capitation tax. I do not object to such a tax as will serve to exclude the Chinese, but I say let the tax be upon the Chinaman and let the Chinaman's wife come in free. You will thus as effectually carry out the policy of excluding the Chinese as at present, and, at the same time, you will protect the morals of the community in which Chinese come as settlers.

Mr. CHAPLEAU. The hon. gentleman complains, and I think without reason, that he has been misrepresented. He should remember that, as a question of principle, it is understood Chinese immigration should be restricted; it is upon that principle that all those who represent the country, especially those who represent British Columbia, object to having Chinese in Canada. That is the principle which has induced us to impose restrictions on Chinese immigration amounting nearly to prohibition. If you encourage the increase of Chinese population in this country you go against that principle, and the proposition of the hon. gentleman would have that effect. As a matter of fact, I can tell hon. gentlemen that if we were to allow Chinese wives, as he calls them, to come in, instead of morality we would have greater immorality. This is known by all those who have studied the question. It has had that effect, as has been, unfortunately, too well proved, in the United States. Take away that restriction, and the worst population in China would be brought to our shores. It is bad enough for the people to have the Chinese here at all, but the commercial interest of Canada and England require that there should not be actual prohibition. The necessities of the times demand, also, that there should be Chinese labor in a new country, but it would be not only imprudent but most unfortunate if the barrier was opened to the extent the hon. gentleman proposes.

Bill reported, and read the third time, and passed.

SICK AND DISTRESSED MARINERS.

Mr. FOSTER moved second reading of Bill (No. 76) to amend the Act respecting sick and distressed mariners.

Motion agreed to, Bill read the second time and House resolved itself into Committee.

(In the Committee.)

Mr. FOSTER. The object of this Bill is to remedy a defect in the Revised Statutes. By Act 45 Vic., chap. 19, all fishing vessels were exempted from paying sick mariners dues. By Act 47 Vic., that exemption was taken away as far as Canadian registered fishing vessels were concerned. Act 45 was repealed when the revision was concluded, and that leaves the law at present in this position, that foreign fishing vessels coming into Canadian ports are subject to the duty, so that the law is altered from what it stood before. This Bill is to replace the law in its former position, so that foreign fishing vessels will not be liable for the dues and will not participate in the benefits.

Mr. JONES. I suppose British fishing vessels do not contribute in the United States.

Mr. FOSTER. No.

Bill reported, and read third time and passed.

PROCEDURE IN CRIMINAL CASES.

Mr. THOMPSON moved second reading of Bill (No. 19) to amend the law respecting procedure in criminal cases.

Motion agreed to, Bill read the second time, and House resolved itself into Committee.

(In the Committee.)

On section 1,

Mr. DAVIES. What change does this make in the existing law?

Mr. THOMPSON. The object of the Bill is to make it clear that there shall not be an appeal in criminal matters to the Judicial Committee of the Privy Council. When I introduced the Bill, I mentioned some of the circumstances which led to its introduction. I think there is very good reason to believe that, under the Statute as it now exists, there is no appeal to the Judicial Committee in such matters, but there has been no determination of the committee that such an appeal does not lie. I need hardly remind the House that very great inconvenience in the administration of the criminal law in a country like Canada would result from an appeal being held to lie to a tribunal so distant as the Judicial Committee of the Privy Council. The result of such an appeal would be that a long delay would be made necessary. There have been one or two decisions of the Judicial Committee under statutes somewhat like that in force in Canada now, and in one of those cases the opinion was expressed that the statute was itself sufficient to prevent further appeal to Her Majesty in Council, notwithstanding that there was no express mention of the prerogative in the statute, but simply an enactment that the decision of the Court of Appeal for the colony was final. In the case of *Cuvilier vs. Aylwin*, 2 Knapp's P. C. Cases, page 72, it was decided—

Mr. MILLS. That case has been overruled by the Judicial Committee since.

Mr. THOMPSON. Not exactly overruled, but it was stated, in a subsequent case, that it had not been fully considered. The only doubt that arises under the comments which were made on that case is, whether the statute we now have is sufficient to cover the appeal or not. On a recent case, when an appeal was taken to the Judicial Committee, the counsel on the part of the Crown were instructed to raise this point, but the appeal was dismissed on its merits without that question being decided. There are, however, several cases in which members of the Judicial Committee have expressed themselves very strongly against such appeals being considered, in consequence of the inconvenience which would result to the administration of criminal law. In the case of the *Falkland Islands Company vs. the Queen*, Moore's P. C. Reports, Vol. I, page 312, Lord Kingsdown said:

"It may be assumed that the Queen has authority, by virtue of Her prerogative, to review the decisions of all colonial courts, whether the proceedings be of a civil or criminal character, unless Her Majesty has parted with such authority. But the inconvenience of entertaining such appeals in cases of a strictly criminal character is so great, the obstruction which it would offer to the administration of justice in the colonies is so obvious, that it is very rarely that applications to this Board, similar to the present, have been attended with success."

That, of course, was in a case where it was clear that an appeal would lie, but the Judicial Committee was reluctant to entertain it, because of the inconvenience which would arise from the intervention of the committee. In a later case,

Mr. FOSTER.

Regina vs. Bertrand, Law Reports, P. C. cases, Vol. I, page 530, Chief Justice Coleridge said:

"In all cases, criminal as well as civil, arising in places from which an appeal would lie, and where, either by the terms of a charter or statute, the authority has not been parted with, it is the inherent prerogative right, and, on all proper occasions, the duty of the Queen in Council, to exercise an appellate jurisdiction, with a view not only to ensure, so far as may be, the due administration of justice in the individual case, but also to preserve the due course of procedure generally. The interest of the Crown, duly considered, is at least as great in criminal as in civil cases; but the exercise of this prerogative is to be regulated by a consideration of circumstances and consequences; and interference by Her Majesty in Council in criminal cases is likely in so many instances to lead to mischief and inconvenience, that in them the Crown will be very slow to entertain an appeal by its officers on behalf of itself, or by individuals. The instances of such appeals being entertained are, therefore, very rare."

We have always contended for the principle that an appeal does not lie from the judgment of the Supreme Court of Canada, but there has been no determination of the matter by the Judicial Committee of the Privy Council, and I think it should be settled.

Mr. MILLS (Bothwell). The First Minister has evidently made a great deal of progress since the Supreme Court Act was under consideration in this House. The hon. gentleman then, though the Act did not propose to interfere with the Royal prerogative, nevertheless seemed to think that we were going a very long way in taking away the right of appeal granted by our own legislation. I can see very great reason for refusing to grant the right of appeal in criminal cases to the Judicial Committee of the Privy Council, and I conceive that, in the great majority of cases, if it were proposed to apply to the Judicial Committee for leave to appeal, great inconvenience would arise in the administration of criminal justice. That, however, has been so rarely applied for, the right to make that appeal has been so rarely sought, that no serious direct inconvenience has arisen in this country on account of the prerogative right of appeal. The question is rather one for the Imperial Government than for the Government of Canada to consider, how far they would comply with the hon. gentleman's proposal that the prerogative right to grant an appeal which Her Majesty exercises through the Judicial Committee of the Privy Council shall be abolished. Now, let me take a case of this sort. Supposing someone in this country was tried for a criminal offence which rendered him liable to death, but which was connected with the relations between the United Kingdom and the United States. The Government which would be responsible for the maintenance of peace between the United Kingdom and the United States, might have very serious objection to permit this country to legislate in such a way as to make it impossible for the Imperial Government to protect its own interests by interposing its sovereign authority. Now, if the hon. gentleman succeeds in carrying this Bill through this House—and I admit that it is a very wide departure from the views expressed by the First Minister a few years ago—he may find himself brought, in this particular, face to face with the Imperial Government. They may say that a party might be convicted in Canada of treason, that the act might be one of which the American Government would assume the responsibility, as the British Government did in the case of *McLeod*, and that it would be in the interest of the sovereign authority of the United Kingdom, that the Imperial Government should have power to intervene and to prevent the law from being carried into execution. Political feeling, or the state of the public mind in this country, might be such as to make it impossible for the Government to interpose by the exercise of the prerogative of pardon, it might be such as that the effect would be that the law would be carried into execution and serious difficulties might arise between our own country and the neighboring Republic. I mention this just to point out cases when the maintenance of the royal prerogative might be a sub-

stantial advantage. We have had so very few appeals from the decisions of our courts in criminal matters, to the Judicial Committee of the Privy Council, that it can scarcely be said to be a practical question, or one of such a character as to necessitate the interposition of Parliament.

Mr. WELDON (St. John). I agree with the hon. member for Bothwell that such cases may be very rare. But according to this section, if the court in the first instance is unanimous, there is no appeal at all provided for, therefore the party accused would be entirely without remedy, although there is a royal prerogative. The effect of the section will be to take away entirely the right of appeal. In the case to which the Minister of Justice alluded, the court was unanimous; but we find cases where the prerogative had been exercised, and where the decision of the court was reversed, even where there was no appeal. The case of the Queen against Bertrand, in New South Wales, a very important point was raised on which the decision of the Privy Council was entirely adverse to the decision of the Supreme Court of that colony.

Mr. SKINNER. This section says that it shall apply to Courts of Oyer and Terminer or Gaol Delivery. So far as that wording is concerned, it would be applicable to the Province of New Brunswick. Now, the County Courts in New Brunswick are not, in the common law definition of the term, either Courts of Oyer and Terminer, or of Gaol Delivery, therefore they would not be comprehended within that section. I think it would be better to introduce two or three words to cover the County Courts of New Brunswick. I cannot speak with the same information with reference to the other Maritime Provinces, but I can say that, in so far as I understand this section, it would not cover the County Courts of New Brunswick; and a very large proportion of the criminal business in New Brunswick is tried in the County Courts of that Province.

Mr. WELDON (St. John). I think the County Courts have concurrent jurisdiction in criminal matters. A large portion of the criminal business is exercised by the County Courts. The judge there has the same power as the judge of the Court of Oyer and Terminer. To meet the suggestion of my hon. colleague, I would propose to introduce the words "or before any other court of criminal jurisdiction."

Mr. THOMPSON. In order to meet the suggestion in regard to the County Court of New Brunswick, I propose to amend this section by making the words in the first line read thus: "Any person who has been convicted of an indictable offence, or whose conviction has been affirmed before any Court of Oyer and Terminer." It applies now to any person who has been convicted, or whose conviction has been affirmed.

Mr. WELDON (St. John). The judge has now the power of reserving a case. Under the criminal law it is entirely in the option of the judge who tries a party, whether there is a case reserved or not. If he declines to reserve the case the party has no appeal, or practically none. It is, therefore, within the power of the judge who tries the case to exercise a power that is not correlative to any other power which he holds. I may instance a case which occurred in New Brunswick. A case was tried before the judge of the County Court and objection was taken to the verdict. The case was argued before him, and he refused to reserve it. Eventually it was brought before the Supreme Court by writ of *habeas corpus*, and the Supreme Court decided that the County Court judge was wrong. A very grave question was raised as to whether the Supreme Court could do that in that way; but the effect was that if there had not been that means of acting the party might have been without resort. Some modification should be made, because power is given to a single judge who hears the case whether he will reserve the case or not. If we do away with the royal prerogative

when the court below is unanimous, that would practically take away the right of appeal. Although there are five judges, two may form a court, and the mere fact that the judges below are unanimous does not necessarily imply that the full bench is unanimous. No doubt the Minister of Justice has often succeeded in reversing unanimous judgments in civil matters before the Supreme Court of Canada. I do not see why the same rule should not apply to criminal cases. Since the opening of the court there have been very few criminal cases appealed, but it is in the interest of justice that an appeal should be given, more particularly as the royal prerogative is proposed to be taken away by this Bill.

Mr. THOMPSON. As regards a general amendment in the direction indicated, I hardly like to deal with that matter in a Bill of this kind, although I think the suggestions of the hon. member are worthy of attention. I think the true way to consider this Bill is not with relation to appeals given from the various tribunals of first instance in the Provinces, but rather with a view to the proper conduct of criminal justice, so that there shall be no appeal out of the country to the Judicial Committee of the Privy Council. If the law is not sufficiently liberal at present, it can easily be made so, either by amending the Criminal Procedure Act or by the intervention of local statutes under which the courts are organised. It is quite true that the judges of first instance have the discretion to prevent an appeal by refusing to state a case. I was not aware that in any Province two judges could form a quorum of the court for cases reserved. It is not so, I think, in any other Province except the one mentioned by the hon. member for St. John (Mr. Weldon).

Mr. WELDON (St. John). There is nothing in the constitution of our Supreme Court that requires the majority of the judges to be present. Two judges can form a court as well as six.

Mr. THOMPSON. I may mention a case which occurred a year ago in the Province of British Columbia. Ample time had been given for a full examination of the case by the Supreme Court of the Province, and after a further stay had been given in order that every opportunity might be afforded, an appeal was asserted to the Judicial Committee of the Privy Council. If that appeal had been followed and allowed, we should not have got rid of it for something like a year or two. In the meantime the criminal law of the country would have been entirely paralysed in that particular case, and the execution of the law eventually, after the lapse of so long a time, would appear cruel, as public attention would have become disassociated from the crime itself.

Mr. WELDON (St. John). There is a marked contrast between the law here and in the neighboring Republic, for across the border there are too many appeals. I quite agree with the Minister of Justice that the appeal to the Judicial Committee of the Privy Council might be done away with, but when we undertake to take away the royal prerogative the hon. gentleman should not leave it entirely to the tribunal of the first instance. As the law stands now, and the hon. gentleman is changing the law, it provides that there is no appeal to the Supreme Court where the court below is unanimous. But there is always the right of petition to the Judicial Committee of the Privy Council. The hon. gentleman proposes to take that away. I would suggest the striking out of the provisions depriving the right of appeal where the court below is unanimous.

Mr. THOMPSON. I cannot do more than promise to carefully consider the hon. gentleman's suggestions. I think we are doing no more than simply declaring what has always been considered to be the law, that the decision

of the courts in Canada should be final, and removing doubts in that regard.

Bill reported, and read the third time and passed.

OXFORD JUNCTION AND NEW GLASGOW BRANCH INTERCOLONIAL RAILWAY.

Mr. POPE moved second reading of Bill (No. 77) respecting the Oxford Junction and New Glasgow Branch of the Intercolonial Railway.

Mr. JONES. When this subject was under discussion on a previous occasion, the hon. the Minister of Finance made an explanation with reference to the position the Government had assumed in this matter. He stated on 6th May the course which the Government intended to pursue and the position which the company occupied in the matter. Referring to the company who had undertaken the construction of this road, the hon. gentleman said:

"This company proposed to carry on a grand scheme of communication, intersecting Newfoundland. They had already made a contract for a line across that island, and this was a portion of the scheme for which they were prepared to make a contract. They did make a contract, and I must say, in justice to the company, that the mode in which they expended some \$20,000 or \$300,000 of their own money, shows that they did it in good faith, and that they intended to complete the line. The contract enabled them to draw a subsidy of \$3,200 per mile, on the completion of every ten miles, but they have never drawn a dollar on that subsidy, for, instead of building it in such a way as to be able to avail themselves of the subsidy, they expended between \$200,000 and \$300,000 of their own money—they say the larger sum—in such a way as not to entitle them to a dollar of the subsidy. They failed in carrying out that great enterprise in which they were engaged, they were unable to obtain the means of carrying it forward, and they stopped work, leaving some \$150,000 due to the sub-contractors, which they owed to the men who furnished the labor, the food and the materials which had gone into the line. Under these circumstances, the Government of Canada, feeling that this work must be completed at some time, as the Minister of Railways has said, that it was too important not to be carried out, if it could not be carried out by the company—and they were a long time in making the arrangements in France and England, endeavoring to negotiate the bonds, and professing that they would be able at an early date to carry to completion—my hon. friend the Minister of Railways felt that it was right, as no portion of the subsidy had been drawn, to ask the House to allow him to appropriate \$150,000 of the subsidy for the company to enable them to go on and pay the contractors and carry on the work to completion."

The hon. gentleman gave that as an explanation of the course adopted by the Government in paying the sub-contractors. But there are words used in this Bill which do not appear to be quite in accordance with the statement made by the hon. Minister of Finance. The Bill says:

"And whereas the company with whom an agreement was entered into, as aforesaid, for the construction of the said line of railway having represented that they had expended a considerable sum of money in prosecuting the said work prior to failure in carrying out the agreement, it is desirable that they should be reimbursed such sum, if any, as they shall establish in court that they are entitled to for work done, or such sum as may be awarded by arbitrators and approved by the Governor in Council, subject to the deduction hereinafter mentioned."

Now, that is an entire departure, as I read it, from the grounds taken by the hon. Minister of Finance in his explanations to the House on the occasion referred to. The hon. gentleman then stated that the Government had taken part of the subsidy to pay the contractors for the work done on the road, a very proper appropriation of that money, no doubt; but he did not say that in making this a Government work, they intended to ask Parliament for power to refund to the defunct company all the money they had expended in carrying out the contract. I do not wish to be understood as opposing the appropriation for this work. As I stated on a previous occasion, I am very glad the Government have decided to make that branch a portion of the Intercolonial Railway, and have no doubt that in time it will be as remunerative a portion of the Intercolonial Railway as any other. But the hon. gentleman in the Bill now asks this House for authority to pay the representatives of that company whatever money they may have expended on the road. That is a point which I wish to

Mr. THOMPSON.

bring to the notice of the House. If the Government propose to allow the company, who entered into an arrangement with them, and who failed to carry out their contract in good faith, to establish such a claim on the Government, it is entirely at variance—and I say it with all due respect—with the principles on which all business or public undertakings are carried on. When a company undertake a contract with the Government or with a private individual, and are not able to carry it out, the other party should not be called upon to compensate them for any losses they have incurred through an error of judgment or through not understanding their business. If these people had not sufficient knowledge to carry on the work or sufficient financial standing to negotiate their bonds or to procure money for the completion of the work, I do not think this House should step in and relieve them from a responsibility which they voluntarily assumed. It is not in any sense to threaten the passage of this Bill, but with the view of protecting the interests of this country against a foreign company that I have ventured to bring this matter to the notice of the House.

Sir CHARLES TUPPER. The hon. gentleman, I think, lost sight of the fact that certain expenditures having been made under a charter which was granted by Parliament, in order to acquire a right to take possession of this work and make it a public work—which I am glad the hon. gentleman entirely approves of—it is necessary to provide that there shall be no infringement on any private rights that exist. It is not admitted here that anything is due to the company. The hon. gentleman will find that the Bill provides that such sums, if any, as may be found by the House, or may be decided by arbitration, shall be paid to the company. Unless the company are able to point to a *bond fide* claim they cannot receive anything under this Act; but, if by a petition of right they are able to establish in the courts a just claim to any sum, larger or smaller, of course it is necessary to provide that there shall be means of meeting their claim. But the Bill does not admit anything.

Mr. DAVIES. If this Bill passes there can be no possible doubt that the company will be entitled to receive the payment of their claim. The preamble of the Bill expressly recites: that this company having represented that they have expended a considerable sum of money in prosecuting the said work prior to failure in carrying out the agreement, it is desirable that they should be reimbursed such sums.

Sir CHARLES TUPPER. Such sums, if any, as they shall establish in court that they are entitled to.

Mr. DAVIES. No one presumes that you are going to pay them more than what they are entitled to. But this point is beyond doubt, that no matter what they have expended, whether it is \$20,000 or \$120,000, you are bound to pay them. The principle that they are to be paid for the work done is adopted beyond peradventure by the Bill, and the amount that they are to be paid is afterwards to be assessed by arbitrators. What I understood the hon. member for Halifax (Mr. Jones) to say, was that the adoption of this principle to pay them money for a contract which they had failed to carry out was a principle at variance with the views the hon. Minister of Finance had laid down in his speech; and I think it is well for Parliament to understand that when they adopt the preamble of this Bill, they bind themselves to pay this company what they have expended. Whether this \$100,000, or \$200,000, or \$500,000—it does not matter what it is.

Mr. POPE. No.

Mr. DAVIES. It is perfectly plain it cannot be otherwise, because the preamble of the Bill recites, it is desirable to reimburse them whatever moneys they may have expended, and the enacting part of the Bill says, it shall be

lawful for the Minister to pay any amount that may be assessed by the arbitrators or the courts in the case of a petition of right. In case the Minister expropriated any private property, they would have the right to have arbitrators assess the value of the property, and experience has shown they would be paid every dollar it cost them, with 50 per cent. additional besides expenses. That has been pretty generally the case.

Mr. POPE. Pretty generally.

Mr. DAVIES. Whether it is right or not is another question; but we ought to understand clearly what we are doing, and we certainly are doing that.

Mr. POPE. The hon. gentleman is entirely wrong. They might have expended \$20,000 or \$100,000, and their property be of no use to anybody. Would any court say we should pay for that which is of no use to us.

Mr. JONES. Why have you that clause then?

Mr. POPE. We have not it there. All that any court or arbitration could do would be to say that the value was so much to us. It could not say because men expended \$500,000, we would have to pay it back to them.

Mr. DAVIES. I submit, with reference to the hon. gentleman, that while that may be his intention, he has not expressed it in the Bill. The preamble expressly recites that it has been represented they have spent a considerable sum in prosecuting the work, and it is desirable they should be reimbursed such sum. The property may be worth the money or not, but what he has expressed in his preamble is the desire that they should be reimbursed whatever money they have expended in carrying on the work. I think the hon. the Minister will find that it will be necessary, if his intention is simply to pay them what value the works are to the Government, that that should be declared in explicit terms. I have no doubt that if he were sitting as an arbitrator, under this Bill, he would feel himself bound to award a sum, not representing the value of the work to the Government, but representing the amount paid by this company in building the road.

Mr. TUPPER (Pictou). The Bill, on its face, is not so clear to the hon. gentlemen opposite as it is to hon. gentlemen on the Treasury benches, but it would be clear to them if they understood some of the facts relating to the position of the company. The hon. gentlemen who criticised a clause of the Bill, approached the subject with the impression that the Government is dealing too generously or desires to deal too generously with the company, and that the company will be, under this clause, enabled to obtain an amount of money that Parliament should not give them in this fashion. I may say that the case of the company is at present in litigation, and the courts, up to this day, have virtually decided that the company are entitled to not a single dollar, notwithstanding the fact, as stated by the Minister of Finance in a recent speech, to which allusion has been made, that the company did expend several hundred thousand dollars in the construction of part of this scheme. I may explain that a Session or two ago this House voted \$150,000 to relieve a certain class of creditors of the company, such as laborers, &c., and the Government was authorized to acquire their rights. Now the rights of these creditors were finally protected by mortgage granted by the company, which mortgage was made legal and binding by the Legislature of Nova Scotia; and the Government, in paying these claims, have virtually become possessed of the company's rights in the whole road, and obtained the benefit of their large expenditure for this sum of \$150,000 or thereabouts. Now the company claims a much larger sum.

Mr. JONES. Of course.

Mr. TUPPER (Pictou). They have attacked the mortgage, and the title of the Government is in litigation. The case has been twice argued before the Supreme Court in Nova Scotia, and on both occasions the company were unable to make good their position; so that the position of the Government as virtual owners, under assignment of this mortgage, is at present strong. It would not be right, I take it, that Parliament, when passing title to the Government, should legislate in such a way as to prevent the company having any redress against the Government, in case they had rights which were being interfered with by this Act of Parliament without compensation. This Bill is drawn so as to meet the litigation now in the courts. They are attempting at present to establish a claim, and to enable the Government, if the company establish a claim, which the Government deny they have the right to establish, to protect itself. In the event of the case going against the Crown, the Government would have to come to Parliament and obtain authority to pay the claim, no matter what action the House may take in reference to the Bill. This Bill provides to meet the case of this litigation going on in court, or to meet the case, should the company abandon this litigation, and say: Now, we believe we have a claim, which is perhaps more than we can establish in a court of law, and we make the proposition that you pay us a certain sum representing the value of the work we have done, which you are going to use and which is going to become part of the property of the Dominion of Canada. Under this Bill, I take it, it would be conceded that the Minister of Railways would have the drawing of any reference to arbitration, and the Minister would take good care, under this Bill, which does not bind him to go any further, to submit to those arbitrators that one question, not as to the amount of money these men may have expended in connection with that scheme, whether wisely or unwisely—some of which has been expended in New Brunswick, and some in Newfoundland and elsewhere—on work that the Government does not pretend to appropriate, but as to the value to the Government of the work appropriated. No hon. gentleman on the other side will question that, under this Bill, that reference could confine the arbitration to the ascertaining of the value of the property actually taken, over and above the amount already paid by the Dominion Government for that property, viz., \$150,000. So that, I think, if the hon. gentlemen understand the position in which the case now is, they will see this Bill is drawn so as to enable the Government to come to a settlement with that company, or, if unable to come to a settlement, if it is deemed wise not to go on in the courts, but to leave the case to arbitration on that one point, there is no danger of the company obtaining, by any provision here, any greater sum than they are fairly entitled to.

Mr. JONES. I think the argument of the hon. gentleman would go to show how unwise it would be to pass this Act with that clause in it. He stated very correctly that the position of the railway was now before the court and that statement was also made by the hon. Minister of Finance in the speech to which I referred before. He said:

"There were difficulties in the way. When the money was paid, the Government took over a mortgage which had been given to the sub-contractors for the sum of \$150,000. That mortgage turned out to be not a legally and duly executed instrument. The company denied the right of their agent to execute it, and so important the Government of Nova Scotia consider this road that at once a resolution was passed unanimously by the Assembly of that Province to entitle the Government of Canada to sell under the mortgage for the money which had been expended for labor to the amount of \$150,000."

Now, it will be seen that the Government owned the road already. I suppose they have not taken legal proceedings, but the Government are the owners of that road at the present moment, and, as stated by the hon. member for Pictou (Mr. Tupper), the company were dissatisfied—naturally they were; I am not surprised at that—and they went to

the courts to get redress, to get a larger sum. The courts on two occasions have decided against them, and now the Government come in and say, in the resolution before the House, it is desirable they should be reimbursed that sum. That is directly at variance with the agreement and with the judgment of the court, and it appears to me to be opening up a wide field for those gentlemen who are, I have no doubt, prolific enough in resources where money is concerned to such an extent as this, and who could make their claim on the Government without such an additional insinuation as is contained in this Bill, that, if their claim is pressed against the Government, the Government have power to settle it by arbitration, if it is established in principle. I think it is a most pernicious principle to establish, and it is against the principle which was announced by the Minister of Finance. I have no doubt that it will lead to a large expenditure of money, because we know when a claim is put in by companies like this, they will not make it smaller because they are to submit it to arbitration.

Mr. TUPPER (Pictou). I want to explain more fully the position of the case in the court. There is not, as hon. gentlemen evidently have understood, a suit brought by the company against the Government to ascertain what amount is due them, nor is it brought by them on any obligation on the part of the Government, but, in connection with that mortgage which was ratified and made valid by the Nova Scotia Assembly, a sale was about to take place, and the company went into the Supreme Court of Nova Scotia to obtain an injunction. They obtained an interim injunction to prevent that sale. The sale was prevented, and that has been the sole question before the court up to date. The judge in equity dissolved this injunction, and an appeal was taken from that decision to the Supreme Court of Nova Scotia, and the Supreme Court dismissed the appeal, so that the company have failed to establish their right or to establish the invalidity of that legislation passed in connection with the mortgage. It is not clear that they would not be able to establish a claim in some form of proceeding for some money over and above \$150,000, and, as was stated by the hon. the Minister of Finance lately, they claim that they have spent a much larger amount of money on this road.

Mr. THOMPSON. The Government at present does not own a foot of this road. The mortgage is not to the Government but to trustees for the benefit of contractors to whom the company owed various debts. The Government have paid the debts of the company, taken an assignment of those debts, and now stand in the position of the creditors for whom the mortgage is taken. I understand that there is no difference on either side of the House as to the principle of the Bill, that it is desirable to build this road as a Government work and to pay the company for the present value of the work, less the amount we have already paid to its creditors; and, if the Bill is not sufficiently guarded in its terms to carry that out, that object can be perfectly attended to in committee.

Some hon. MEMBERS. Six o'clock.

Mr. POPE. Let us take the second reading before six, as there is no difference of opinion.

Sir RICHARD CARTWRIGHT. There is a great deal of difference of opinion, as under the Bill you propose to take power to pay all the money they have expended. There is a strong difference of opinion as to the preamble, which I have just been reading over.

Mr. POPE. There is no such intention as that, and, if there is any alteration to be made, we can make it in committee.

Mr. TUPPER (Pictou). We have been discussing it as if we were in committee.

Mr. TUPPER (Pictou).

Sir RICHARD CARTWRIGHT. No doubt we have, and it was desirable to do it. But that particular point is not answered by the Minister, as to the expenditure to which we may be committed in order to pay these people the moneys which they have expended.

Mr. POPE. If the intention is not clear enough, we can make it clear enough in committee. The intention is that, if the courts so decide, we may be able to pay for the present value what it may be worth to the Government, about \$150,000, and not more. If that is not clear enough, we can make it clear.

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

After Recess.

Mr. DAVIES. I think we are entitled to some further information before this motion is carried. This Bill contains several clauses, one of which authorises the Government to expend \$500,000 in constructing this branch of road as a Government work, and I understand that that clause is fairly based upon a resolution introduced by the hon. gentleman in committee. But the Bill goes further. How far I am unable to say; how far this House has not yet been informed. This Bill commits the House to an expenditure of an unknown and unascertained sum, in payment of certain works which it is alleged a company, which originally contracted to build the road, have spent upon it. Now, I would like to understand two things from the Minister: In the first place, whether the resolution on which this Bill is based, authorises the introduction of a Bill giving power to him to expend this sum of money at all; and, secondly, I see that the resolution on which the hon. gentleman based his Bill declared that it is right to expend \$500,000 for the construction of this road. So far the Bill is based properly upon the resolution, but I do not understand the resolution, on which the Bill is based, authorises the expenditure of an unknown sum to acquire certain works which it is alleged the original contracting company built, and which the Government are taking power to expropriate. Inasmuch as the Bill does not do that, it is out of order, of course. But even supposing that that point is got over, and that the Bill was in order, I think the very least the Minister could do would be to inform the House to what extent this country is to be committed by the passage of this clause.

Mr. POPE. We did that on the resolution.

Mr. DAVIES. The hon. gentleman did not do so. I have looked over the report, and I have not seen any statement from him whatever, or any approximation towards a statement. If I understood one of the hon. gentlemen who spoke behind him to-day, they doubt if there is any money due at all to this company—it may be a dollar, it may be \$500,000. The House is in perfect ignorance. I do not know, it is utterly impossible for me to say, in the absence of information, what the work is, whether it amounts to one dollar or \$500,000. I am sure there is not a member in the House that knows; and the House is assenting to the principle of a Bill which involves the expenditure of an unknown sum. The resolution upon which the Bill was introduced does not justify that clause being put in the Bill, and it has never yet been assented to by Parliament.

Mr. THOMPSON. The Bill, I take it, only authorises the expenditure of the money which was voted by the committee. There is already legislation provided in relation to the subsidy, and the expenditure that is contemplated by the first section of the Bill, is to be made by the vote of a subsidy. The third resolution, which proposes to carry on the work, authorised the expenditure of \$500,000.

Mr. DAVIES. I think the Minister of Railways ought to give us some information on this point. I do not think

the resolution is sufficiently large to embrace this Bill in its present form.

Mr. POPE. I think the resolution was broad enough to cover the money I am asking from the House. I explained to the House at the time, that the estimated cost of this road, over and above the subsidies already granted, was about \$1,000,000. When we want more we shall come to the House, as we always do, and ask for it. But I think the resolution covers all we are asking for now.

Mr. BLAKE. I think not. The resolution proposed that a certain sum of money should be granted, half a million, I think, and the unexpended sum of a former subsidy for the construction of a railway. That is the purpose. The Bill proposes that an indefinite sum should be applied towards the reimbursement or the purchase of certain work. There has been no information in the committee as to the application of any portion of the public money for that purpose; there is, therefore, no proper foundation for a disbursement of public money for that purpose. One purpose for which the committee authorised the disbursement of public money was for the building of the road.

Mr. POPE. The hon. gentleman is quite right. It was for the building of the road, and this is as much a part of the building of the road as the rest of the work we have to do, and I think was covered by the resolution. I explained at the time—

Mr. BLAKE. No.

Mr. POPE. I explained at the time that we might have to pay something, or we might have to pay nothing; I could not say. But if there was anything that fairly belonged to the company, I wanted authority by this Act to be able to pay them.

Mr. BLAKE. I have no recollection of any such explanation of the hon. gentleman, and I am quite convinced the resolution does not cover any proposal to pay any private individual one sixpence for money or work already done upon that railway. I believe, in point of law, there is no claim on the part of this company for one sixpence from this Government, and every sixpence that is paid to the company will be a gift. It may be a right thing to give the money, it may be a wrong thing, but the question of the moment is whether the resolution authorised that disposition of the public moneys. The hon. gentleman's explanation, according to my recollection of it, was confined to the proposition that he was about to build and to pay for building, not to buy and pay for buying, the works already constructed.

Mr. THOMPSON. The resolution, I think, is pretty explicit. It reads:

Resolved, That it is expedient that the railway from Oxford to New Glasgow should be completed as a Government railway, and that, in addition to any unexpended balance of the sum of \$224,000 granted as a subsidy for the construction of the said railway by the Act 45th Victoria, chapter 14, there shall be granted to Her Majesty, for the said purpose, out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada, a sum of five hundred thousand dollars."

Mr. BLAKE. That is to complete the railway.

Mr. THOMPSON. Precisely, to complete the railway. Now, as I explained before you left the Chair at six o'clock, the Government at present, although some work has been done in connection with this railway, own no part of it. There is an outstanding mortgage to those who are trustees for the creditors, and it is anticipated that the mortgage in which the Government are interested, will be foreclosed, and under that, in all probabilities, the work may be acquired; or it may be that that mortgage being satisfied, or released, or foreclosure being impossible, it may be necessary to expropriate the works of the company in order to acquire the right of way for the railway.

Mr. MILLS (Bethwell). The resolution does not sustain the position taken by the Minister of Railways and the Minister of Justice. The resolution says that it is expedient that the railway from Oxford to New Glasgow should be completed as a Government railway, and that, in addition to any unexpended balance granted as subsidy by the Act 45 Victoria, chapter 14, there should be granted out of any unappropriated moneys of the Consolidated Fund, \$500,000. This is for the purpose of completing this particular undertaking as a Government railway. So far from it being suggested that any portion might be diverted for the purpose the hon. gentleman has mentioned, the suggestion is that there is a portion of the \$224,000 unexpended, and it might be applied to carrying forward the construction of the line and completing the undertaking. If the hon. gentleman proposes to apply the money to any other purpose, it should be stated in the resolution, and it is not so stated. I should like it to be decided whether the Bill in its present form can go before the committee.

Mr. THOMPSON. I contend that the resolution contains very distinct language with respect to the appropriation of the amounts named, and that it is impossible they can be diverted to any other purpose.

Mr. SPEAKER. I rule that the expenditure provided for in the Bill is covered by the resolution, and if the hon. gentleman desires to offer any objection it can be done much better in Committee of the Whole, when a motion can be made that the objectionable portion be struck out of the Bill. I, therefore, see no objection to the Bill being read the second time.

Bill read the second time.

SUPPLY—REVISION OF VOTERS' LISTS.

Sir CHARLES TUPPER moved that the House again resolve itself in Committee of Supply.

Mr. MILLS (Bothwell). Before you leave the Chair, Mr. Speaker, I wish to call the attention of the House to the following telegram, which, it is said in a newspaper I hold in my hand, was received by the revising officer of a county in the Island of Prince Edward:

"Geo. D. Allen, revising officer for Queen's, has received the following telegram:

"OTTAWA, 26th May, 1887.

"To——, revising officer for —— county:

"A measure will be submitted to Parliament concerning revision of lists. Do not incur any expenditure, nor proceed with any work. Will further instruct you later.

"J. A. CHAPLEAU,

"Secretary of State."

It seems to me that this telegram, if sent by a member of the Government to the revising officers throughout the country, is a gross violation of the law of the land. There is no rule better settled since the days of Charles the Second than that the Government have neither dispensing nor suspending power. The Government in this case have undertaken to instruct officers who are appointed for the purpose of discharging certain duties mentioned in the law. Whether the law was wise or unwise, it is a law that was carried through Parliament and received the sanction of the Crown, and it is the duty of those who are appointed under the law to act in accordance with its provisions and to give effect to its provisions. If they are found to be unwise and not in the public interest, it is the duty of the Government charged with the administration of public affairs to submit to this House a measure amending that particular statute. We find that the Government, instead of undertaking to discharge that duty, instead of coming down to this House with a measure to amend the law and remedy any defect, have assumed to do what they have no authority whatever to do, to instruct various important

public officers throughout the country to set the law at defiance, to disregard its provisions, and the Government promised legislation upon the subject. I know that the First Minister has for some time assumed that this House is here for the purpose of merely registering his wishes, that he decides beforehand what shall and what shall not be done; and so it may be that he, looking at the past, might be justified in assuming that the law which is now upon the Statute-book and which it is the duty of certain officers to obey, will be repealed. But it would only have been fair to his supporters in this House to have recognised their right of independent judgment and action, and to have refrained from giving any such order until the law now on the Statute-book was repealed. There is no excuse for this conduct. It is not only a highly improper proceeding in itself, but it is a proceeding altogether unwarranted. There was no supreme necessity imposed on the Government in the direction in which they have gone. Parliament has been in session for six weeks. The First Minister has no information he did not possess before the House met. He knew what appropriations were necessary for the voters' lists, to meet the claims of the revising officers, their clerks and bailiffs, and the cost of printing the voters' lists. All this information was in the hands of the Government when the House met. If the hon. gentleman thought it was unwise that this measure should be continued upon the Statute-book, why did he not propose its repeal, so that we might have had a Bill under consideration, which Parliament could have dealt with before the time came that the officers were called upon to discharge certain public duties. Instead of doing that, we have the action taken which is reported in the newspaper; and I find the notice was sent not merely to the revising officer in Prince Edward Island, but I believe it was sent to revising officers everywhere throughout the Dominion. We told the First Minister when he proposed the measure that it was one not in the public interest. We pointed out the appliances which the House could command for the purpose of preparing the voters' lists, and we urged that this machinery was not such as made it desirable that the policy which had worked satisfactorily for eighteen years should be departed from. We pointed out to the hon. gentleman that he would entail very great inconvenience upon members of this House and upon candidates seeking election to this House; also a very serious expenditure upon the country and that the expense was wholly unnecessary, and that even if the expense resulted in the preparation of satisfactory voters' lists, it would not have done more than had been accomplished by the Provincial law. The hon. gentleman disregarded our representations. He was so anxious to secure for his dependents, his wards, the privilege of voting for representatives to this House that he could not forego the opportunity on the eve of the elections of making radical changes in the law. Well, Sir, the hon. gentleman has had an opportunity of trying his experiment, and a trial of twelve months has not resulted in a way so satisfactory to him or his supporters that they feel like continuing to carry the law into effect. But, Sir, the hon. gentleman, instead of coming down frankly to the House at the opening of the Session and admitting that he had been mistaken, and that it was necessary that the law should be repealed or amended, has taken the very extraordinary course of proposing to suspend the law, and giving instructions to public officers to disregard those duties which the law has imposed upon them, because he proposes some time in the future to introduce a measure of repeal. Now, we know that the hon. gentleman is not likely to propose a measure which he does not think is in his own interest—and, when I say in his own interest I am speaking of his interest as a public man, as the leader of a party in this House. The hon. gentleman knows that many of those lists were defective, that serious complaints were made with regard to the preparation of those voters'

Mr. MILLS (Bothwell).

lists, and he has given instructions which show that he is resolved to interfere with the operation of the law, and impose upon the people of those constituencies where elections are likely to take place, in consequence of the elections being contested, an imperfect voters' list, and to deny the people the opportunity of amending their lists. We know that a large number of persons who are on the voters' lists to-day are no longer even residents of the Province; they reside abroad, and it is only by constantly amending the voters' lists that we can obtain a fair voters' list for the purpose of holding an election. I venture to say that there is scarcely a constituency in this Province where twelve months will not make a change of ten per cent. in the voters' list; and yet the hon. gentleman proposes not only to continue those lists without any authority on the part of Parliament, but he has assumed to instruct the revising officers throughout the country that, instead of proceeding with the work and undertaking to discharge those duties which the law has imposed on them, they are to disregard the law, because, forsooth, he intends submitting a measure to Parliament before Parliament rises. Now, Sir, I say that is a most improper proceeding; it is one which this House ought not to tolerate. But the Government have gone on in acts of usurpation, step by step, until they not only disregard the authority of Parliament but set the law of the land itself at defiance.

Sir JOHN A. MACDONALD. The objection which the hon. gentleman takes is that the Government have assumed certain despotic powers, trusting to the fact that the House will register the opinions of the Government or my own individual opinion. *Hinc ille lachrymæ.* Because the majority of the House will not register the hon. gentleman's opinions, therefore he gets up and makes this statement of grievances. As I understand it, Mr. Speaker, the duties of the revising officer do not commence yet; they do not commence until the 1st of June, and as yet, therefore, no harm has been done. Now, I will not be drawn into a discussion prematurely, nor will I think the House favor a discussion at present on the merits of the Bill of my hon. friend the Minister of Justice, with respect to the Franchise Act. The hon. gentleman has made a partisan speech; he made an attack upon that measure. Well, when that measure comes up we will discuss it, and perhaps the House will agree that it is a reasonable Bill; perhaps they will register the decree which the hon. gentleman speaks of, or in other words will express an opinion that it is a reasonable Bill. If that Bill becomes law, there will be no revision of the voters' lists in 1887. That Bill may be right or it may be wrong; the principle objected to by the hon. gentleman we will discuss when the Bill comes up, but if the House really passes an Act declaring that there shall be no revision of the voters' lists for 1887, don't you think it was a wise precaution to state to the different revising officers to hold their hands for a few days until we see whether that Bill is passed or not. If it be passed all that the revising officers would do in the meantime would just mean so much money thrown away, and it was simply for the purpose of saving that money that this was done. We said: If that Bill is adopted all your action and all your expenses will be so much waste, and therefore we ask you to hold your hands. If the Bill is not adopted there is no time lost; there is plenty of time for the revising officers to perform all the duties they are required to do under the Franchise Act of 1885. It was simply a precautionary measure to inform the revising officers that they need not go on appointing their clerks and incurring all these expenses until they saw whether the Bill passed or not. That is the plain common sense of the matter.

Mr. BLAKE. It may be, Sir, if the House adopts the views of the Government, as to the law which is now on the Statute-book being suspended for this year, that some

money will have been saved by the notice which, as now acknowledged by the hon. gentleman, the Government has caused to be issued to these officers. It may be, I say, that some money will be in that event saved, but I maintain that a great constitutional principle will have been violated. The law of the land imposes on these officers certain duties. By an Act of Parliament they are called upon to discharge those duties; they are made officers holding their appointments during good behavior, and they are required by the law to do thus and so. But what the hon. gentleman says is: We came to the conclusion late in the day—a few days ago—on the 26th of May, that we would introduce a Bill, and invite the Legislature to prevent the discharge of these duties for this year; and having come to that conclusion, we took it upon our own authority to cause these officers as far as an executive act can cause them, to disobey the law. We told them to deflect their duty; we said: Don't incur an expense or proceed with any work; don't proceed with this work which under the law you are entitled to do—this work which under the law you are bound to do—work which the hon. gentleman says we, although an Act of Parliament has imposed that duty and given that power, we executively command you, we instruct you not to discharge these duties, not to exercise your powers; and he concludes by saying: we will further instruct you later, thus indicating the contention on the part of the Executive Government of this country that they had the right to instruct the revising officers as to what they are to do, and what they are to forbear to do, instead of their being officers under the control of Parliament and discharging the statutory duties which are indicated by an Act to which Parliament has assented. Now, Sir, the great act of Executive Government which gave rise to the discussions—one of the main points upon which the revolutionary system of the United Kingdom turned, was an admirable executive act. No man can read the Declaration of Indulgence of Charles II without agreeing in everything he proposed to do by that Declaration of Indulgence. No man can read it without being delighted to see that the Executive was in advance of the Legislature of the land at that instant, with reference to the principles which ought to be applied as to the relation of the State or the Parliament to religious questions. He declared in that document, which in that respect was in advance of the public opinion of the day, that experience had shown that coercion by the State in religious matters was a failure, and ought not to continue; and he declared that he proposed to give a measure of toleration to the dissenting Protestants and a minor measure of toleration to the Catholic subjects of his realm. But although we all agree to-day in the excellence of the principles which Charles proposed to apply by executive action, we all agree also, I trust, that his attempt to suspend the laws of the land in order to give effect to those principles, however excellent, was an attempt which was dangerous and despotic. And what I say is that my hon. friend was justified at this time, before we go into Committee of Supply, in calling the attention of the House to a grievance of the subject in this, that the Executive Government has undertaken, of its own volition and authority, to instruct statutory and parliamentary officers not to discharge the duties or to exercise the powers with which by the law of the land they are clothed. So that, once again, 215 years after the event, you find an attempt repeated to act by the executive in suspension of the law of the land.

Motion agreed to, and House again resolved itself into committee.

(In the Committee.)

Contingent expenses of High Commissioner for
Canada in London \$2,000

Sir RICHARD CARTWRIGHT. As it appears, according to the statement made in the House, that we have no

High Commissioner at present, I do not see the meaning of applying for contingencies for him. If the office be as necessary as is represented to us, it appears extraordinary that for the time being it should be absolutely annihilated.

Sir JOHN A. MACDONALD. This is for next year.

Sir RICHARD CARTWRIGHT. If you can dispense with the High Commissioner for six months during the very important period which we are now going through, there does not appear to be any very sound reason why we should not dispense with him altogether.

Mr. MILLS (Bothwell). I think we are entitled to some further information with regard to this. The papers which I moved for some time ago, with the view of enabling us more intelligently to discuss matters relating to the office of High Commissioner, and which the hon. First Minister promised to bring down, are not yet laid on the Table of the House. Therefore, in the absence of these papers, we require some information. Now, I asked the hon. gentleman, when was it that the house occupied by the High Commissioner and loaned to him by the country was closed, or whether it is closed, and if it is, who is in possession of it? Is it let to some one else, or is it held on behalf of the High Commissioner that is to be.

Sir CHARLES TUPPER. There is no doubt the House is entitled to the fullest information on the subject. The house has not been let. It is being taken care of in my absence, until I return to it, or until my successor returns to it. I shall be very glad to give the hon. gentleman any further information in my power that he may desire.

Mr. MILLS. Is this money for the purpose of meeting the expenses connected with taking care of that?

Sir JOHN A. MACDONALD. For next year.

Mr. MILLS. I am glad to hear the hon. gentleman say that the house is still in his care and under his supervision. I suppose that he is responsible, and, therefore, it will be well taken care of.

Sir CHARLES TUPPER. Quite so.

Mr. MILLS. It is the more important because it shows that the hon. gentleman is, after all, receiving an emolument which, I think, disqualifies him from sitting here. The hon. gentleman laughs, but he knows it is an emolument under the Crown; he knows it is regarded as a profit. It is quite as much so as if he were receiving \$10,000 a year, and the hon. gentleman in giving this information, which I admit he has frankly given, has shown the House that he is not legally qualified to sit here, and is liable to the penalties imposed by law for every day he does sit here.

Amount estimated to be required for taxes and insurance for High Commissioner's residence including income tax \$1,200.

Mr. MILLS (Bothwell). This is another emolument.

Mr. McMULLEN. Are we to be called on to pay this tax for the current year? The hon. gentleman is here, and certainly this tax should not be collected in England while he is in Canada.

Sir CHARLES TUPPER. The hon. gentleman will see that this appropriation is for the coming year. If there were no High Commissioner appointed, there would be no person to pay, and there would be no charge for income tax on his salary.

Mr. MILLS (Bothwell). Apart from every other question, it seems to me there is no more reason why the salary of the High Commissioner, if we are entitled to appoint a High Commissioner, and if it is in the public interest such an officer should be appointed, should be taxed than the salary of an ambassador.

Sir CHARLES TUPPER. Hear, hear.

Mr. MILLS (Bothwell). He should be regarded as standing in the same position. No Government in the world would think of attempting to impose a tax on the salary of an ambassador or foreign representative; and if we have so far progressed as to be entitled to have a representative at the Court of St. James, it is certainly only fair that he should be put in exactly the same position as the representative of a foreign country. We should remonstrate against the imposition of any tax upon the person of our High Commissioner. He does not stand in the position of a simple consul. He has certain ambassadorial functions to discharge—so we were told, at all events, when the office was created—and if he is not to enjoy immunity, if he is to be liable to the law of the country for any offence he may commit, he, at all events, ought not to be liable to a tax of this sort.

Sir JOHN A. MACDONALD. Is not that little speech a waste of time?

Sir CHARLES TUPPER. I am inclined to think it is not a waste of time, if my hon. friend will allow me to disagree with him. I entirely concur in the views enunciated by the hon. member for Bothwell. My predecessor raised that question, and it was referred to the revenue board, and I have myself paid the tax on the High Commissioner's salary under protest, on the ground, well taken, that the representative of the Dominion in London ought not to be taxed, but that his position should be regarded in this respect, as it is in almost every other respect, as an ambassadorial position. I can only say that I, when I resume, as I hope to be able to do at an early day, the discharge of the duties of that office, intend to press that point as strongly as I can on the attention of Her Majesty's Government.

Mr. CHARLTON. If the salary of the High Commissioner is subject to income tax in England, it will be proper for him to pay that amount out of his salary. He receives a salary of \$10,000 a year, and the income tax on it should be paid by him; otherwise our payment amounts to a salary of \$10,000, plus all the charges. If a civil service employé's income were taxed, we would not supplement the amount to his salary. It strikes me the same rule ought to apply to this case.

Sir CHARLES TUPPER. That would be extremely unfair. It was not the intention of Parliament, when Parliament fixed the salary at \$10,000, that these charges should be deducted. I am not there discharging the duties of the office for myself but for the country. Supposing a war ensued and the income tax were doubled or quadrupled, would the hon. gentleman think it quite right that Canada should receive the services of the party for whom they had appropriated a certain salary, and deduct from that salary a very large charge for income tax, and £63 sterling is, I hold, a large tax on an income of \$10,000. The contrary is the view taken by the Government, and it is applied to all the officials serving the Government in England. The income tax on the salaries is uniformly paid by this Government.

Mr. LANDERKIN. This item should not pass. I do not see why the people of England should tax our High Commissioner \$1,200 for his residing there. I should think he would become a valuable citizen, and it is scarcely consistent with British freedom to treat our High Commissioner in this way, by imposing a tax of \$1,200 on his salary. Our Government tax the Chinese when they come here, but we are surprised the British Government should tax our High Commissioner \$1,200 a year, and our taxpayers are surprised that they should be called upon to pay taxes on the salary of a gentleman who gets \$10,000 a year. There are contingencies of \$2,000. I make these remarks in no capricious spirit or spirit of ill-will to the gentleman who has

Mr. MILLS (Bothwell).

occupied that position until lately. I think that, while he consents to leave that high and dignified position in Britain—the ambassador of this country in Great Britain—and to return to Canada and accept a salary of \$7,000 a year, it will be somewhat difficult for him to make the people of this country believe that there are not some pickings here to make up the difference. It seems so, as he thinks it a hardship for him to pay that tax, but I think there are some hon. gentlemen on that side of the House who would be willing to accept the position, and who would be able to fill it with great ability and capacity, and who would be willing to pay their taxes if the Government would send them there. I have no doubt that some of them think they could do it as well as the hon. gentleman who occupies the position now. There is another matter in regard to this. I find that the taxes were paid for a year. The High Commissioner has been here for half a year, so that this country has been short half a year on account of these taxes. I should like to know if this is to be recouped to the country. How is this to be? Is the money of the country to be frittered away in this manner? I think, if we have a High Commissioner, he should either stay there all the time or stay here all the time, so that we should not be paying these taxes all the time in advance. I think some arrangement ought to be made so that we should only pay three months in advance or six months in advance, at all events, or something of that kind, and that we should not be paying over and over again. There are people in this country getting a dollar a day who are working as hard, perhaps not with as much ability, but as hard as the High Commissioner, and they have to pay their own taxes. I feel that I would be an untrue representative of the people of this country if I did not protest, in the most solemn manner, against the payment of the taxes of a gentleman who receives from this House \$10,000 as salary and pickings to the tune of \$5,000 or \$6,000 in addition; and I say that, in view of the depression which is abroad and the taxes on everything which the farmer and the laboring class have to buy, this is an improper course to pursue, and the gentleman who occupies that position—with ability, as no doubt he does—would make the matter come before us with a better grace if he struck that item out altogether.

Mr. MITCHELL. I must say, while I very frequently agree with my hon. friend in the motions he makes in this House, I do not agree with him in regard to this matter. I cannot think that any one on this side seriously objects to the payment of these taxes. Possibly the object of these remarks is to get information. I was not in the House when the discussion commenced, but I think that must be the object. Everyone knows that the High Commissioner, while in England, has done yeoman service for this country. I recollect an instance when he went to Liverpool, and took his coat off, and rolled his shirt sleeves up, and went in a professional way to save the cattle interests of this country, and I think that Canada owed him a debt of gratitude in that matter. Besides that, Canada is indebted for having at present the beneficent Government presided over by the right hon. gentleman, to the hon. member who has occupied the position of High Commissioner and came out here to save the country from the rule of the unfortunate Grits. Looking at the members on this side of the House, I do not think there is an hon. gentleman who will object to these taxes being paid, for the High Commissioner has rendered good service to Canada abroad and at home.

Mr. JONES. I think the ground my hon. friend took with reference to the services of the High Commissioner in London might entitle that gentleman to our high approbation, but the other ground, in reference to his having returned to Canada to assist in reinstating the Government which might not be in that position without his services, is a point on which we may be allowed to differ. However,

I did not rise to refer to that, but to say that, after the experience which the hon. gentleman has had in that exalted position, I think he ought now to be able to form an opinion as to what the incidental expenses of that position would amount to, and I think it would be much more dignified for us to put the salary at that total sum, and so to avoid the discussion on the incidental expenses, on taxes and other small items of that kind. I would prefer to see the amount placed at such a figure as to cover all the expenses, and then we would not have to go through such a discussion as this.

Sir CHARLES TUPPER. I may explain for the information of the hon. gentleman who has drawn attention to the practical question of these taxes, that I think I can relieve his anxiety and that of the poor farmers of this country as to their being particularly pressed for the payment of any taxes for me. That hon. gentleman will be glad to learn that since I was first charged with the duties of High Commissioner for Canada in London, I have saved in salary to the people of this country \$14,000; that the discharge of the ministerial duties which have been imposed upon me, and the discharge at the same time of the duties of High Commissioner for Canada in London, has resulted in there being drawn out of the Treasury of this country \$14,000 at least less than would have been drawn under ordinary circumstances, if I had not been charged with these duties, and the High Commissioner for Canada had been continued in London. I will not say anything as to the manner in which I have been enabled to discharge those duties further than that my best efforts have been given on all occasions to doing all that I found it possible to do in the interests of Canada. And further I will say, as the House knows, the salary was placed at \$10,000 and an amount of \$4,000 was voted for contingencies in addition to that salary. My predecessor, who went to London and took a suitable residence, a residence such as the High Commissioner for Canada ought to occupy in London, found himself unable to live at that amount of \$10,000 for salary and \$4,000 for contingencies. He addressed a letter to my right hon. friend to say that, unless the salary were increased, he must give up the office. The Government declined to increase the salary; he left the residence, which was a suitable residence for a High Commissioner to occupy, and went into private lodgings in London. I have no hesitation in saying that I could have done the same, if, when I was appointed to that office I had considered it properly discharging my duty to Canada. I could have gone into private lodgings, and lived upon the salary and contingencies without any inconvenience whatever. In fact, I could have saved a considerable amount in connection with it. I did not think that it was the right thing to do under the circumstances, and my right hon. friend and the Government having come to the conclusion that it was necessary that the High Commissioner for Canada should occupy a suitable and appropriate residence, directed me to select one, which was purchased for the purpose; and the amount of \$2,000 a year out of the contingencies voted by this House for the High Commissioner, was deducted from my contingencies and charged for the rent of that house. The house is an appropriate one. It is well situated for the purpose, and I pay or have paid, out of the appropriation of \$4,000 for contingencies formerly made, \$2,000 a year for rent, and there is not a farthing of taxes charged on that residence which is not paid by the owner of any furnished house who rents it to another person in London. Wherever a gentleman in London rents a furnished house, the landlord pays every farthing of the taxes; so the Government of Canada who are the owners of this house, and have charged me \$2,000 a year for the rent of the house, naturally and properly I think, pay the taxes. But, as I have said, this has

not increased the burthens of the country because, by the great exertions which I have made in order to discharge the duties imposed upon me in connection with the ministerial duties and the duties of High Commissioner, without neglecting either more than was absolutely necessary, I have been enabled to save no less than \$14,000 since I was charged with the performance of those duties.

Mr. MILLS. The hon. gentleman, I think, has not taken into consideration all that he has saved. I might be disposed, and the committee might be disposed, to question that he has saved \$14,000 in the way he has stated. But the hon. gentleman has saved to the country a very considerable sum, both during the current year, and in one or two former years, by being absent, and the large amount of saving, the genuine saving, I think, has been when the hon. gentleman has not been in London. In fact the hon. gentleman's savings reminds me very much of a boy's composition written in the high school, where the boy said that pins had saved thousands of people's lives. "How," said the teacher, "is that possible?" "Why, by not swallowing them," answered the boy. And the hon. gentleman has saved to the country thousands of dollars, but I do not think it has been in the way he has stated. It has been saved because the hon. gentleman has not been in London for the purpose of discharging his duties, and is not therefore drawing a salary.

Post Office and Finance Departments—Contingencies
(computing interest)..... \$2,900

Sir RICHARD CARTWRIGHT. Are these sums paid, in addition to the regular salaries, to certain of these officers? Because, if so, I think, as a matter of practice, it would have been better to have added the amount to the salaries in those Departments, than to have taken special votes. A good deal has been said while the hon. gentleman has been away, and a good deal has been very properly said, as to the inexpediency of allowing men to draw two distinct salaries from the public chest for different species of work; and although the amounts are not very large, and the work is considerable, I think it would have been better to have added indirectly to the Finance and Post Office charges, that is to say, if you are paying double salaries.

Sir CHARLES TUPPER. There is only an increase of \$100 here.

Sir RICHARD CARTWRIGHT. It is not the increase I am speaking of, because that may be fairly accounted for by the additional amount of work; there is no doubt a larger amount of work in consequence of the increase of deposits. I am speaking of the practice of paying certain officers of the Finance and Post Office Departments their regular salaries, and then to make them special allowances besides. I say I would prefer to see these amounts placed against the separate Departments in place of putting them in this particular way.

Sir CHARLES TUPPER. This is for specific services, to pay officers of the Savings Bank and Post Office and Finance Departments engaged in balancing the interest of depositors' accounts.

Sir RICHARD CARTWRIGHT. I am aware what it is for. I am not objecting so much to the charge as to the mode of putting it. If the hon. gentleman has had time to examine the Auditor General's report, he will observe that there is an immense number of officers who receive, so to speak, two salaries, and it appears to me that practice is liable to abuse.

Sir CHARLES TUPPER. I will look into that point and bring down a memorandum.

Sir RICHARD CARTWRIGHT. In all these cases, although I do not see the names of these officers, I take it

for granted that practically they are receiving the ordinary salary as officers in the Department. Now, that cannot very well consist, as a rule, with their doing the full amount of work for their salaries.

Mr. McLELAN. The hon. gentleman will understand that it is a special work which requires a particular class of officers, and if you fix at an increased rate the salary of a certain number of the officers, who are expected to do this service, it might be that when the period for this work arrived, these men may not be at hand to do it, or may not be available, and it is left to the Superintendents of the Savings Banks and the Post Office Departments to select their best men when this work is required to be done, and pay them. The question about paying for extra services is being considered by the Government, and we are attempting to diminish such payments as much as possible. But in these two services, the Government Savings Banks, and the Post Office Savings Banks, it is thought the services are entirely exceptional, that they should be paid for as extra work, and that the officer should have authority to select his men when the period arrives for making this calculation.

Sir RICHARD CARTWRIGHT. It is not very convenient to put these matters off to concurrence, because, when concurrence arrives, we may not have the information before us. Moreover, as the hon. gentleman knows, the House is apt to be extremely impatient at concurrence, and very often we do not care to delay about trifling matters. Now, I think we ought to have had information about this, although I do not press the point, because there is something in what the Postmaster General has said. It may not be possible in this case, to add an official to each of these Departments, which I would have recommended in ordinary circumstances. I suppose these amounts are made up twice a year?

Mr. McLELAN. In the Post Office Savings Bank they are made once a year.

Sir RICHARD CARTWRIGHT. Under these circumstances it may not be possible to have a separate staff for that, but my reason for calling attention to it was more particularly this: That year after year we find a very considerable number of our officers are getting into the habit of having large sums paid them, that is to say, large sums taking into account their original salaries, in the shape of extra work. Now, that is liable to be very much abused.

Sir CHARLES TUPPER. That is being steadily reduced.

Administration of Justice \$64,000

Sir RICHARD CARTWRIGHT. Miscellaneous justice, including North-West Territories \$20,000—I see later on that we have added considerably to the expenditure for the North-West Territory. Is it necessary to have this vote of \$20,000 in addition to all the other votes we have for that purpose? Looking at the total population in the North-West Territories, the sum total that we have voted for judicial purposes there is very large indeed. Here are \$20,000, \$4,000, \$20,000 and \$2,500, and I think some allowances besides—nearly \$50,000 for a population of 23,000 whites and some Indians. In addition to that there are large expenditures for gaols, &c. This seems a very considerable figure for judicial expenditures.

Sir CHARLES TUPPER. The hon. gentleman will see that in this item the only increases are four statutory increases of \$50 and \$5,000 for the maintenance of Prince Albert gaol.

Sir RICHARD CARTWRIGHT. This amount of \$20,000 was voted at a time when we had a very small vote for the
Sir RICHARD CARTWRIGHT.

salaries of judges, &c., in the North-West Territory, and in proportion as you increase the regular salaries, I should have thought there would have been a reduction of this vote for miscellaneous justice, out of which I think in former times stipendiary magistrates were paid. My objection is to the sum total for judicial expenditure, which appears large for so small a population.

Mr. THOMPSON. The salaries were not included in the \$20,000; they were voted separately. Besides, the hon. gentleman will find that this amount includes a large sum for the maintenance of prisoners, the expenses of witnesses and jury fees, amounting to \$15,000.

Sir RICHARD CARTWRIGHT. I observe there is a special vote of \$5,000 for Prince Albert gaol. What is the policy of the Government with respect to this matter? Have they decided on erecting a number of gaols in the North-West, or is the gaol at Prince Albert to be the gaol or penitentiary for the whole of that region?

Mr. THOMPSON. One gaol has been erected at Regina, and this at Prince Albert is the second gaol. Hitherto, prisoners have been confined in cells at the police barracks.

Sir RICHARD CARTWRIGHT. I am aware that in a country like the North-West, where the population is very much scattered, it is not unreasonable that a considerable expenditure should be incurred. But when you come to examine the different items and find the total of \$61,500 for judicial purposes, it appears an extravagant expenditure for the population, and unhappily there does not appear to be any great probability of an early reduction.

Supreme and Exchequer Courts of Canada \$45,600

Sir RICHARD CARTWRIGHT. What is the total salary of the registrar?

Mr. THOMPSON. \$2,600.

Sir RICHARD CARTWRIGHT. How much does he receive in his capacity of editor of the reports.

Mr. THOMPSON. \$100.

County Courts, N.B. \$16,200

Mr. JONES. The salaries of the County Court judges in the Province of New Brunswick are: one at \$3,000, five at \$2,400; whereas in the Province of Nova Scotia the salaries of the County Court judges are only \$2,400. The county judge in Halifax has a very large business to attend to, and I believe he deals with more cases than any other county judge. I, therefore, bring to the notice of the Government the position in which he stands. I believe representations were made to the Government some time ago with respect to increasing his salary, as he is a very competent judge, and performs a large amount of work. I cannot understand on what principle his salary is less by \$600 than that of a similar judge in St. John.

Mr. THOMPSON. The salary of the County Court judge at St. John was fixed by statute and no such statute has been passed in relation to the Halifax judge, and, therefore, no additional amount has been placed in the Estimates. The hon. gentleman is aware that all such matters are regulated by statute. No doubt the reasons given were ample when the increase of salary was given to the county judge at St. John. County judges in New Brunswick have a very large criminal jurisdiction, which is not the case with Nova Scotia county judges. When the time arrives, and the Government see their way clear to increasing judicial salaries, I shall be very glad to see an increase made in the salary given to the county judge at Halifax among others.

Mr. MITCHELL. There was a very sufficient reason given at the time that this increased salary was given to the county judges at St. John. The appointment made was that of a very distinguished man, one for whom the people have very great regard, Hon. Charles Waters. He received a larger sum because his duties were more onerous and his position a more important one. I am satisfied the hon. gentleman will not expect as high a salary for the County Court judge at Halifax as for the county judge in the important commercial city of St. John.

Mr. JONES. After having brought this matter to the notice of the Government I hope they will remove the difficulty by placing the county judge for the city of Halifax in the same position as the county judge at St. John. I have in my possession some statistics of a number of cases the former had before him during the last twelve months, and I believe he fills the position with acceptance.

Mr. TUPPER (Pictou). I desire to say a word with regard to the disparity of salaries at different places. In Quebec Vice-Admiralty Court, the registrar and marshal receive twice as much as the registrar and marshal at the Vice-Admiralty Courts in Halifax and St. John respectively. A return was brought down some Sessions ago showing that the amount of work was not at all in that proportion in the different Vice-Admiralty Courts, and when several hon. members brought the matter to the attention of the Government, they were told that the attention of the Government had been called to the desirability of passing legislation so as to place those courts on some new basis; and this question of the salaries would be then taken up. I do not know in what position those negotiations now are. I believe it was stated at the time that there was some correspondence between the Imperial Government and the Government of Canada with regard to the jurisdiction of these courts. But in whatever position the matter may be, it does seem unfair, or at any rate irregular and anomalous, that these officers in these different courts, where the work is pretty much the same, should be paid such disproportionate salaries.

Mr. WELDON (St. John). I agree with my hon. friend from Pictou (Mr. Tupper) with regard to the salaries of these judges, and I agree with him also with regard to the other matter to which he has referred. I hope the Minister of Justice will do something towards giving a larger jurisdiction to the Vice-Admiralty Courts—giving them, in fact, the same jurisdiction as the High Court of Admiralty in England. This increase of jurisdiction was nearly consummated at one time, and if it had been carried out it would have been a great boon to the shipping interests of the Maritime Provinces.

Mr. JONES. I think the hon. member for Pictou (Mr. Tupper) might have gone further and drawn attention to the fact that the judges, in Nova Scotia particularly, and in New Brunswick, are not paid the same salaries that are paid to judges in similar positions in Ontario and Quebec. I have always contended that the judges from these smaller Provinces were entitled to the same salaries as the judges of the larger Provinces, and so long as the present state of things remains, the judges of Nova Scotia and New Brunswick are placed, if not in a position of inferiority, certainly in a lower position than those of the larger Provinces. We have, I presume, equally eminent men on the bench of those Provinces, their time is equally taken up in the discharge of their duties, and I think their salaries should be equalised with those of the judiciary in the other Provinces.

Mr. WILSON (Elgin). I would like the Finance Minister to explain the increase of \$2,000 in the vote this year for junior judges.

Mr. THOMPSON. As regards the Vice-Admiralty Court the inequality which has been brought to our notice by the hon. member for Pictou (Mr. Tupper) is one of long standing. If I mistake not, it existed before the Union of the Provinces, and was continued in consequence of the Vice-Admiralty Court judge of the Province of Quebec holding no other office, while in the Lower Provinces they were engaged in other judicial proceedings. The inequality may be explained in that way, although I admit it is not satisfactorily explained. I think the only reason which can be given for the subject not having been dealt with before is our expectations that the control of the Vice-Admiralty Court would be given entirely to this Parliament by a measure to be passed in the Imperial Parliament. A complete understanding was arrived at on that subject more than eighteen months ago between the two Governments, and the precise form of the statute to be passed by the Imperial Parliament was also agreed upon. I can only account for the delay in passing it, considering the cordial good will of the Imperial Governments, both present and past, by the extraordinary pressure of business upon the Imperial Parliament. The increase in the amount for salaries of County Court judges in Ontario is owing to the fact that one additional judge has been appointed in the county of Perth.

Mr. DAVIES. With regard to this matter of the salaries paid to the judges, I would like to mention the fact that the judges of the Province of Prince Edward Island are singled out and paid salaries very much smaller than judges performing the same duties in any other part of the Dominion. I think this is most unfair and unjust. The salary of the Chief Justice of Prince Edward Island is \$4,000, and of the assistant judges \$3,000, while in the neighboring Provinces of New Brunswick and Nova Scotia, the salary of the Chief Justice is \$5,000, and the salary of each of the puisne judges \$4,000. The salary of the Chief Justice of Manitoba is \$5,000, and of puisne judges \$4,000. The Chief Justice of British Columbia gets \$5,820, and the puisne judges \$4,850. It may not be fair to make a comparison between Prince Edward Island and British Columbia, because the reason given for the fact that the judges receive larger salaries in British Columbia than they do in any of the other Provinces, is that the cost of living is understood to be so much greater. But as between Prince Edward Island, and either Nova Scotia or New Brunswick, I think every hon. gentleman will agree that is most unfair and unjust that such a marked discrepancy should exist between the salaries paid on the island and those paid in the adjoining Provinces. The puisne judges in Prince Edward Island, receive the same salaries as are paid to the County Court judge in the city of St. John. That is something which cannot be defended on any possible grounds. The qualifications required of a judge in Prince Edward Island are just as high as in the adjoining Provinces; the duties they have to discharge are equally onerous, when you consider the number of judges who are on the bench in the other Provinces as compared with the island. There are only three on the island as compared with seven in Nova Scotia and six in New Brunswick. I do think the Minister of Justice should consider this question with a view of equalising the salaries of our judges with those of the judges of other Provinces. It just happens in the Province from which I come that some of the distinguished gentlemen who have sat on the bench there are men of private means and advanced in years, and by drawing on their private means they manage to live very comfortably; but no member of the legal profession, unless incapacitated by ill health, would leave anything like a good practice for \$3,000 a year; he could not live upon it. In the salaries of Lieutenant Governors no such discrepancy exists. We pay the Lieutenant Governor of Prince Edward Island the same salary, I think, as the Lieutenant Governor

of Nova Scotia or New Brunswick, and why should such a difference exist in the salaries of the judges? It is utterly indefensible, and I hope the matter will engage the attention of the Minister of Justice. I believe he possesses some knowledge of the personality of the judges of Prince Edward Island, and I should like to hear from him whether he is prepared to defend the present system, or to recommend that they should be put on an equality with the judges of the other Provinces. This matter was brought to the attention of the Government by a memorial—which I believe was unanswerable—from the judges of the island three years ago, at the time the hon. member for North Simcoe (Mr. McCarthy) asked for a committee to consider the salaries of the judges of the different Provinces. He contended at that time, and I think with a great deal of justice, that the salaries paid to the judges of Ontario were too small, and not such as to obtain for the bench the best talent at the bar. I do hope this matter will receive the attention of the Government at an early day, and that some endeavor will be made to put the judges of Prince Edward Island on an equality with those of the other Provinces.

Mr. CAMPBELL (Kent). Before this item is passed, I wish to call the attention of the Government to a circumstance in the county I have the honor to represent. Last year when the Franchise Bill was brought into operation, it was thought necessary that a junior judge should be appointed, so that he could act as revising officer. Before his appointment, the Government asked the senior judge of that county whether he wanted an assistant, and he replied that he did not, that he was quite competent to perform the duties of the position. He is a young man, in the prime of life, and quite qualified to perform all those duties; but when the Government made up their minds to put into operation the Franchise Act, they took the precaution to appoint a junior judge. Now, when the First Minister proposes to suspend the operation of that Act for a year at least, and consequently the services of the junior judge will not be required, I think it would be only right that he should be dispensed with, and that the salary now paid to him should be saved to the country. I can assure you there is no necessity whatever for a junior judge for that county, unless it may be as revising officer. And I may say further that I do not think the Government could possibly have made a more unsuitable appointment than the one they made. The junior judge is a man of 65 or 70 years of age, and the senior judge is about 35 or 40. The proposition was recently made by a member of the bar of Chatham, and a Conservative, that the members of the bar should unite and pay this senior judge to take the Division Court cases, and allow the junior judge to retain his salary and do nothing. It has been represented to me by all the members of the bar there, that the cost to the county and to litigants is largely increased by the appointment of this junior judge. He is a man that every member of the bar has admitted to be not at all qualified for the position; and now the Government in proposing to suspend the operation of the Franchise Act, are really proposing to take away the ground on which the junior judge was appointed, and I think it would be only right and proper that the country should save the large expense now entailed on the county by dispensing with his services.

Mr. THOMPSON. Will the hon. member inform me when the appointment was made?

Mr. CAMPBELL (Kent). About a year ago.

Mr. THOMPSON. I will state for the hon. gentleman's information that no such letter as he refers to was ever received from the senior judge of his county; nor since I have had the honor of filling the office I occupy, has any junior judge been appointed to any county in Ontario or anywhere else where any representation by any reliable authority has

Mr. DAVIES.

been made that his services were not required. In all cases, when appointments have been made, strong recommendations have come from the bar, and in nearly all cases from the senior judge, of the necessity of appointing a junior. But I will call the hon. gentleman's attention to the fact that the appointment of junior judges in the Province of Ontario is not by the exercise of any arbitrary power on the part of this Government. There is a statute of the Province of Ontario which authorises us to appoint a junior judge in any county where the population reaches 40,000; but instead of exercising the full patronage which that statute gives us, we have passed an Order in Council stipulating that there shall be at least a population of 60,000 before the appointment of a junior judge shall be made; and in the particular case he refers to, not only were there strong representations of the necessity of appointing a junior judge, but we had 50 per cent. more population to be provided for judicially than the statute of Ontario required. I have not the pleasure of being personally acquainted with the person who has been appointed; but from the representations made with regard to his standing in the profession I must differ from the hon. gentleman as to his qualifications. From my own knowledge I can say that the hon. gentleman is not strictly accurate in stating that the profession in his county have unanimously agreed that he is not qualified for the position, because I have had representations of a different kind from them. My hon. friend from Prince Edward Island has expressed his strong wish to hear from me on the subject of the judicial salaries in his own Province; but I am sorry that I can say nothing that will be very gratifying to him with regard to any increase in judicial salaries this year. I quite understand the inequalities he refers to. I can only say that the inequality in the salaries of the judges in the Vice-Admiralty Court is of very long standing. When our predecessors in office undertook to deal with this subject and to increase the salaries of the judges, they continued the inequality that existed between the salaries paid in the larger Provinces and those paid in the smaller. I am not prepared to say that I entirely concur in the wisdom or fairness of the discrimination that was then made; but in reply to the hon. member for Prince Edward Island, I must say that while very strong and very just representations have been made from various quarters in regard to judicial salaries, and these representations have been strongly pressed from the Province of Ontario, I am not able to promise that this year, at any rate, any provision will be made for an increase.

Mr. CAMPBELL. I am a little surprised to hear the statement of the Minister of Justice that no communication emanated from Judge Bell in reference to the appointment of a junior judge. I have the statement from the senior judge himself that he told the Government he did not want an assistant. It is a well known fact that he did not want one, and he has told me since, on different occasions, he would a great deal rather the Government had not appointed a junior judge. So far as the members of the bar are concerned, I am satisfied the Minister of Justice does not know the feeling of the bar in the county of Kent. I am satisfied that nine-tenths of the members of the bar there are of opinion that the junior judge is not at all fitted for the position.

Mr. O'BRIEN. As this question of judges' salaries has been raised, I wish to take the opportunity of expressing the opinion, which, I believe, in Ontario, at any rate, is shared in by all educated people, both within and outside the profession, who give any thought to the subject, that the salaries of the judges, as a rule, are not adequate to the importance of the duties they have to perform, and to the class of men who are competent to perform them. I am sorry, therefore, to hear the hon. the Minister of Justice say that the Government have made up their minds that for this

year, at any rate, this subject is not to be taken into consideration. I think there is a general feeling in the country that the character of the bench, both in the County Courts and the Superior Courts, is certainly not improving, and I believe the cause is felt generally to be that the present salaries are too low to enable the Government to command the services of the class of men whom the public at large would like to see occupying those positions. It is felt that the salaries of the judges are not at all in proportion to the incomes made at the bar by the sort of men we would like to have on the bench. If there is one thing the country has always had reason to be proud of, it has been the character and standing of our judiciary, and no worse economy can be practised than that which will have the result of lowering the standard of our judiciary by not giving our judges salaries adequate to their position and duties. I take this opportunity of expressing this opinion, not merely because it is my own, but because it is that of all those who have given any thought to the subject.

Mr. MARA. I wish to call the attention of the hon. the Minister of Justice to the great dissatisfaction that exists in British Columbia, but more particularly on the mainland, as regards our courts. About seven years ago the County Court work was thrown on our Supreme Court judges, with the result that they could not take time to do the work of both courts. I do not mean to infer that they have not performed their duties honestly and faithfully, but there must be a great deal of friction, delay and inconvenience when both Supreme and County Courts are called for the same day, so that the County Court suitors have often to wait four and five days until the Supreme Court business is finished before their cases can be heard. Another objection to the system is this, that at present we have five Supreme Court judges and only one County Court judge. The five have to be present in Victoria twice a year to attend the Court of Appeal; and as one of the terms occurs in the middle of the winter, the judges are tempted to remain there the greater portion of that season. Take the present winter for example. In the district of Yale I do not think there will be a County Court for six months; and the district of Kootenay may not have a County Court for six or seven months. This is not a proper state of affairs. The system either ought to be changed, or we ought to get more County Court judges. Take the districts of Yale and Kootenay, which are very large districts. One judge cannot do the work there, properly belonging to both County and Supreme Courts, and, therefore, those who would like to take their cases into the County Court have not an opportunity of doing so. If the Minister would give this his attention, he would possibly be able to get over the difficulty, so far as Yale and Kootenay are concerned, at all events, by appointing another county judge.

Mr. THOMPSON. I will give the best attention possible to this matter, and see if a remedy can be applied.

Kingston Penitentiary \$111,185 30

Mr. THOMPSON. The Committee is aware that the Government have asked Parliament to abolish the system of perquisites in the various penitentiaries. The officers already appointed are exempt from the operation of the Bill passed to-day; it is not to affect their salaries prejudicially. At the same time, I think the disposition of Parliament, as evinced by its ready acquiescence in that Bill, is in favor of the abolition of the system of perquisites. I need hardly say that the system has gradually grown up into very irregular proportions, and it was felt by my predecessor, and has been likewise, from time to time, felt by myself that it was exceedingly desirable to abolish these perquisites. Inasmuch as existing officers cannot be dealt with under the terms of the Bill, I propose to ask Parliament to make

provision in these estimates for the commutation of perquisites which are received by the various officers now in the penitentiary, so that I will not have to wait, for the coming into operation of the Bill passed, until all the existing officers have resigned or been removed. That would postpone to a very remote period the accomplishment of the object we have in view. I think it is very desirable to carry that out, both in regard to economy and in regard to discipline. I placed in the hands of the hon. member for West Durham (Mr. Blake) a few weeks ago, a statement of what these perquisites were estimated to be worth. Taking up the vote for the Kingston penitentiary, the warden has been in the receipt of a salary of \$2,600. It is proposed to increase his salary to \$3,000, but the additional \$400 is a commutation of the perquisites he now receives, which consist of house, fuel, light, and keep of horse and cow. We propose to continue the use of the house on the principle I mentioned this afternoon, but for the rest of the perquisites we propose to make a commutation of \$400. I may say, for the further information of the committee, that the officers who have been accustomed to receive these perquisites have rendered a statement of what, in their estimation, their perquisites were worth, and some years ago the practice existed of allowing an officer to base his superannuation allowance, not merely on his salary, but also on his house rent and other perquisites; and it may be owing to a supposition on the part of those officers that the enhancement of the value of these would increase their superannuation allowance that the sums which I will state to the committee have been estimated by them. The estimate of the warden at Kingston of his perquisites is \$1,200 a year. That includes his house rent. We propose to continue to him his house, and to allow him \$400 as a commutation of his other perquisites. Then, the deputy warden has been estimated at \$1,400. I propose to allow him \$100 in consideration of cutting off his fuel and light. He has had no horse or cow. There is also an increase estimated for in the allowance to the accountant. He receives at present the maximum salary which can be paid to an accountant. He has been a long time in the service of the institution. He is said to be an exceedingly valuable officer, and very diligent in the performance of his duties; and, inasmuch as it is not proposed in the Bill which I introduced to-day to give him any augmentation of his salary, I thought it only just, considering his long service and the value he is said to be to the institution, to propose an amount of \$100 additional salary to him as an exceptional allowance, which is not to be permanent for the office. I think the salary of \$1,000 in the Bill introduced to-day ought to be sufficient as a maximum salary for an accountant, and this increase is only asked for on account of long service and efficiency. There is also an increase for the engineer, but it is not an increase of the engineer's salary. The engineer has heretofore received two allowances, the regular salary voted in the estimate for him as engineer, \$750, and \$550 which has been paid to him by the Minister of Public Works as an officer of his Department, because the engineer, as well as some of the other officers of the penitentiaries, who are immediately connected with the public works, is appointed on the nomination of the Minister of Public Works. It has been considered desirable, and I think the committee will agree with me that it is desirable, that the salary should be combined in the vote, and that any officer of the penitentiaries should hereafter receive only one salary, which would appear in the estimate for the penitentiaries. The same remark explains the increase in the salary of the chief trade instructor. There is likewise an increase of \$1,500 in the allowance for keepers. Representations have been made of a very emphatic character, that an increase in the staff of keepers and guards is absolutely necessary. The warden represents that this is to some

extent owing to the fact that heretofore between eighty and ninety of the prisoners have been employed at lock-making, and of course prisoners who are employed in indoor work can be guarded with a less force than when they are engaged in outdoor work. He represents that, in view of the very large prison population, and it being necessary to find employment for them out of doors, he cannot guard them with the present force. In fact he has asked for a considerably larger increase in the force than I have decided to give him. It is proposed to appoint three additional keepers.

Sir RICHARD CARTWRIGHT. How does the hon. gentleman propose to employ these convicts? As I understand, the lock-making is discontinued. What are the convicts now employed about? To the best of my recollection only about one hundred or so can find employment on the farm.

Mr. THOMPSON. I had a report a few weeks ago from the warden in reply to a statement which appeared in the public press as to the non-employment of prisoners. I am not now in a position to make a statement as to how they are being employed, but the warden assured me that every man was usefully employed in connection with the prison. He stated then—and that was at the beginning of the season—that he could find employment for them on the farm, and that up to that time they had been employed. There are two or three propositions under consideration with regard to the useful employment of convicts which may not interfere with any industry which exists in Canada now. I cannot mention them now with any confidence, but I may say that one of them is mat-making, at which industry convicts are very largely employed in the United Kingdom, and some appliances are being imported now in order to see whether an industry of that kind can be set on foot in our penitentiaries without causing any improper competition without outside labor.

Sir RICHARD CARTWRIGHT. I saw a report in the public press that it was under the consideration of the Government to shorten the sentences of a considerable number of these prisoners, if not the great majority of them, in this jubilee year. I should like to know if that report has any foundation in fact.

Mr. THOMPSON. The statement has no foundation in fact. I have endeavored to give the best consideration possible to any representations which have been made on behalf of prisoners, for commutation of sentences, but in my opinion it is not proper that any general consideration should be given to the fact that this is the jubilee year in dealing with the criminal class.

Sir RICHARD CARTWRIGHT. I am not at all disposed to question the reasonableness of the hon. gentleman's decision myself, but I desired to know what decision the Government had arrived at on the matter. However, I may take the opportunity of calling his attention, and also the attention of the House, to this fact, which, I presume, has come under the notice of a considerable number of members besides myself. There does appear to be an enormous inequality in the sentences inflicted by the different judges for precisely similar offences committed, as far as it is possible to learn, under precisely similar circumstances. Has that point been brought under the attention of the Government? and does the Minister of Justice think that it is a matter which should be taken into consideration? Of course, we all know that in certain phases there is a very wide range, properly, in the punishment inflicted; but I speak of the difference in the sentences inflicted by different judges. One judge would give a sentence of 14 years—I have known such cases, not unfrequently—where another judge will be content with five or even three years; and it does appear to me that this extreme inequality must have a more or less mischievous effect upon the minds of

Mr. THOMPSON.

the public at large, or on the minds of the prisoners, which is a matter not altogether to be lost sight of.

Mr. THOMPSON. The matter does occasionally come up, and it is generally brought to our notice by philanthropic persons who are surprised at the inequality of the sentences which are reported in the press. Whenever such matters are brought to my notice I take some care to investigate the causes, and enquire from the judges imposing the sentences as to the reason for the severity exercised, or the inequality, as compared with other convictions occurring at about the same time. It generally transpires that circumstances have entered into the consideration of the judge imposing the sentence, which were not understood by the persons reporting it to the press. Occasionally there are circumstances connected with the case which give it an aggravated character, or mitigate the criminality, but occasionally there are circumstances outside of the record which the judge has to consider, as, for instance, the record of the criminal, his previous convictions, the hopelessness of a light penalty making a due impression on him; and in many cases it has been found that sentences somewhat severe, have been called for by the state of criminality of that particular kind, and its prevalence in a particular district; and occasionally in cases of that kind, the judges have intimated that the imposition of a heavy sentence has had a beneficial effect in deterring crime, and they have recommended that the sentence be subsequently reduced. As far as possible all these cases are investigated, and I recognise it to be my duty to investigate them when they are brought to my notice. I may mention in this connection that there exists not only this apparent inequality in the sentences imposed by the same judges, but there is a marked inequality between the sentences imposed in the various Provinces. In the Maritime Provinces, for example, it is nothing unusual to see crime punished with nearly double the severity that is employed in Ontario and Quebec. On that subject I took occasion to mention to some of the judges in the Maritime Provinces the practice of their colleagues on the bench in the larger Provinces, and intimated that they might be punishing crime with greater severity. However it would be rash in me to state that instances have come to my knowledge that will justify me in saying that undue punishment is in any case awarded. I think the inequality which the hon. member refers to, has been repeatedly noticed in Great Britain, and investigation is very commonly made by the Home Secretary on complaints of that kind, whether made in the press or in Parliament, and it is almost always found that circumstances such as I have mentioned—the state of the crime in the neighborhood, the prevalence of that particular crime, the bad record of the prisoner, or aggravated circumstances connected with the case, and which did not appear in the press at all—have occasioned the inequality which was somewhat startling.

Sir RICHARD CARTWRIGHT. It is a delicate subject, and I do not press it, although I suspect there is one consideration which the hon. gentleman, properly, perhaps, did not allude to, and that is the varying temperament on the part of the trying judge. That has a good deal, in my poor opinion, to do with the different sentences. As I understand the Minister of Justice, he does not propose to employ in future any of these convicts in indoor work except such work as may be considered to be domestic.

Mr. THOMPSON. That is all.

Sir RICHARD CARTWRIGHT. That would leave to the warden a large number of convicts to find employment for. The hon. gentleman intimated just now that there was some scheme under consideration; I would like to enquire of him whether he has considered a scheme of employing convicts, as they have been employed in other cases, in the

construction of some sort of public work in the vicinity of the penitentiary. I am not speaking in the interests of the good city of Kingston, I am speaking in the interests of the convicts for whom it is very desirable to find employment, and it has occurred to me that they might be usefully employed in the vicinity of the penitentiary in some work which could otherwise be undertaken, but on which, if you have plenty of convict labor at your disposal, and also quarries and similar sources of material available, you might usefully employ them.

Mr. THOMPSON. That is one of the projects that has been under consideration. A delegation came from the city of Kingston about a month ago to press for the employment of convict labor for the construction of a public work in that city, but engagements connected with the Session have prevented me from laying the matter before my colleagues.

St. Vincent de Paul\$82,339 51

Sir RICHARD CARTWRIGHT. As the report connected with this institution has not yet appeared, I would suggest that this item be allowed to stand. It is impossible to discuss St. Vincent de Paul intelligently without the information which was asked for and which was promised.

Sir CHARLES TUPPER. Could not that be done upon concurrence? The same latitude will be allowed.

Sir RICHARD CARTWRIGHT. It is inconvenient to take up an item of that kind now. The hon. gentleman is, perhaps, not aware, having been absent from the country, that there were grave irregularities connected with the administration of St. Vincent de Paul, and they would be discussed in a more or less imperfect manner if the item goes on now.

Mr. THOMPSON. I am sorry those papers have not been brought down. They were put in the printers' hands before the opening of the Session, and I expect them in a day or two.

Mr. LAURIER. I noticed that in another House some papers connected with this institution have been asked for and brought down; could we not have the same papers brought before this House, in order to enable us more intelligently to discuss this item?

Mr. THOMPSON. There can be no objection to having such papers laid on the Table. I may say, however, that the papers laid before the other House were composed mainly of an abstract of papers which will be submitted in full to this House. I did not lay the abstract on the Table, because I expected the blue-book, containing the information in full, would have been ready. I expect, nevertheless, that the day after to-morrow the book will be ready.

Dorchester Penitentiary\$45,750

Sir RICHARD CARTWRIGHT. There is no alteration of any moment.

Sir CHARLES TUPPER. No; the amounts are decreases.

Manitoba Penitentiary\$48,021

Sir CHARLES TUPPER. This is a decrease.

Sir RICHARD CARTWRIGHT. I see there is a considerable increase in the salaries.

Mr. THOMPSON. The warden has been voted heretofore \$3,000. He has received house, fuel, light and rations. We propose to commute fuel, light and rations for \$100. The deputy warden has received \$900, and we propose to commute his fuel and light for \$100. The accountant and storekeeper received \$1,000; \$100 is allowed as commutation for fuel and light. The steward has received as perquisites fuel and light, and we allow \$50 as

commutation. To the engineer who has been receiving fuel and light we also allow \$50, and to the hospital overseer the same amount. All the officers in fact have been allowed fuel and light; and it is on account of this fact that the cost of fuel for this penitentiary has been so large, exceeding that of any similar institution.

Sir RICHARD CARTWRIGHT. Why is it proposed to allow the guards, who already receive \$600, \$650, which is largely in excess of the sum allowed at other penitentiaries.

Mr. THOMPSON. Because up to the present time they have been receiving fuel and light.

Mr. MILLS (Bothwell). The arrangement made with respect to the payment of salaries, &c., was made at a time when the cost of living was very much higher than it is today, and when there was some ground for giving the officers larger sums than were paid in the other Provinces. I desire to ask whether any complaint has been made to the Government in regard to Mr. Bedson by Charles Bremner, or by anyone in his behalf, in connection with the North-West troubles. Charles Bremner was a half-breed who was in the habit of trading with the Indians, and who had accumulated considerable property. He was invited, I think, at the time when Poundmaker had taken up arms against the Government, to come within the protection of the forces stationed at Battleford. He did not consider he was in danger. He had been in the habit of trading with the Indians for many years; and when the rebellion broke out, I think, he was made prisoner by Poundmaker's band and taken to the place where was fought the battle of Cut Knife Creek. He made his escape, and as he was suspected of having been in sympathy with the Indians, he was sent as a prisoner to Regina, and when the time for his trial arrived nothing was found against him and he was discharged. I have said he had been for many years a trader with the Indians. He had a considerable quantity of furs on hand, and these were taken possession of by some members of the volunteer force. I thought I had the names of the parties here who gave me this information, but I find I have not. I was told that the furs were divided between Mr. Bedson, Mr. Hayter Reed and the General who was in command. The party who gave me the information said there was no doubt whatever with respect to it, and that he was ready to give evidence before a committee of the House of Commons whenever called upon. I should very much like to know whether any complaint was ever made by Charles Bremner, or on his behalf, to the Minister of Militia or to the Minister of Justice against the General, the warden of the penitentiary or Mr. Hayter Reed, and whether any compensation has been given to Charles Bremner. I understand that when Bremner was taken and sent to the gaol, his furs were worth about \$7,000, and when he returned he was penniless, and that those who ought to have extended to him their protection, appropriated his property. My information is so direct, so circumstantial, that I have had in my own mind no doubt whatever with respect to the accuracy of that information, and I should like to know very much what redress has been given, and whether any enquiry has taken place. For it seems to me that a party who could be guilty of such a proceeding is not one worthy of being retained in the public service. I have already given the names of the parties; Mr. Hayter Reed, Mr. Bedson and General Middleton.

Sir ADOLPHE CARON. In so far as the charges which have been made by the hon. gentleman are concerned, I can only speak from the information which has come to my Department. I have never heard any complaints made against General Middleton in the case mentioned or in any other case connected with his proceedings in the North-

West, and I can state, moreover, to the hon. gentleman that if during those troublesome times there had been any grounds for a charge being made against them, no doubt the Department would have heard from the parties interested. It has never been brought under the attention of the Department; we have never heard anything so far as the administration of my Department is concerned which could in any way commit the General to an act such as that mentioned by the hon. gentleman.

An hon. MEMBER. Then there is not a word of truth in it.

Sir ADOLPHE CARON. Quite so.

Mr. THOMPSON. So far as I am concerned I never heard of the complaint before.

Mr. DAVIES. The Minister of Militia did not say there was not one word of truth in it. What he did say was that nothing of the kind had been brought to his knowledge as the head of the Department.

Sir ADOLPHE CARON. I know nothing about it, and consequently cannot say anything as to the truth of it.

British Columbia Penitentiary \$45,771

Mr. ELLIS. Can the Minister of Justice give any explanation as to why the penitentiaries in small Provinces like Manitoba and British Columbia cost so much compared with Dorchester penitentiary. Is crime so rampant in those western Provinces?

Mr. THOMPSON. In the first place, the Dorchester penitentiary is very convenient of access. It is situated in a village, and has railroad communication near by. The penitentiaries at both of the other places are remote, and the one in Manitoba is, I think, in a very inconvenient place. But, as I explained before, the increase is principally due to the fact that we have been in the habit heretofore of making allowances to the officers which we did not make in the other Provinces. For instance, in the case of fuel, the allowance began at a time when fuel was very scarce and high in price, and it was continued until the present time. That is another reason why a larger *per capita* cost appears in the management of Manitoba as compared with Dorchester and other prisons. Another circumstance likewise is the fact that we are obliged to pay higher salaries for these inferior officers than we can get men for in the older Provinces. We can get, of course, a warden or a deputy warden or accountant, or any of the superior officers to whom pretty good salaries are paid, but we find it practically very difficult indeed to get efficient persons in Manitoba and British Columbia as guards and other officers of that kind for the sums that we can get them for in Nova Scotia and New Brunswick.

Salaries and contingent expenses of Senate, \$59,488

Sir RICHARD CARTWRIGHT. There is an increase here.

Sir CHARLES TUPPER. It arises from an increase of \$2,000 to the Senate Debates, by a resolution of the Senate in the Session of 1885, and a few statutory increases.

Sir RICHARD CARTWRIGHT. Does anybody ever read the Senate Debates? I know nobody ever listens to them.

Salaries, House of Commons, as per Clerk's estimate.....\$63,750

Sir RICHARD CARTWRIGHT. I see there is a decrease here.

Sir CHARLES TUPPER. The salary of the Clerk of the Crown in Chancery and contingencies are transferred to the Privy Council.

Sir ADOLPHE CARON.

Sir RICHARD CARTWRIGHT. That is quite correct, but the Clerk of the Crown does not come under the salaries of the House of Commons; he used to be a separate item by himself. I see there is a decrease in the chief clerk.

Sir CHARLES TUPPER. The statutory increases are \$800, and the changes made and the superannuations make up the difference.

Mr. JONES. Is this reduction made by the dismissal of Mr. Wade?

Sir CHARLES TUPPER. No, his place has been filled.

Mr. JONES. Was there any reason for Mr. Wade's dismissal?

Sir CHARLES TUPPER. That is Mr. Wade of Digby. I am sorry to say that he so far forgot the position he occupied as to go out and take a prominent part in holding public meetings and denouncing the Government of the day. I think there is no gentleman in this House, on either side, who will say that any public officer holding any office under the Government or Parliament should adopt such a course, or that, if he does adopt it, that he should be retained in the public service, if we are to carry on public affairs in the way in which I am sure hon. gentlemen on both sides would like to see them carried on. There is no doubt that public officers, especially under the ballot, have a perfect right to go to the polls and record their vote for or against any person, as they may please, or as they may consider it their duty, but I do not believe any gentleman in the House will sustain any public officer in going out and taking an offensive course in reference to the Government of the day, whoever may be in power. There is undoubted evidence that Mr. Wade took that course, and that he went to the furthest extreme to which any person could go, and under the circumstances the Speaker was asked to supersede him.

Mr. JONES. I think the hon. gentleman has been misinformed as to the extent of Mr. Wade's action during the election, so far as my information goes. However, be that as it may, I am disposed to agree very much with what the hon. gentleman has said with regard to the conduct of public servants in this respect. But I think that in order to be consistent in the view which the hon. gentleman has pronounced, he should have exercised the same discretion in other matters. The hon. gentleman must be aware that there is hardly a railway official in Nova Scotia but has been an active, open, violent partisan of the Conservative party.

Mr. PATERSON (Brant). That is a different thing.

Mr. JONES. I suppose it is a different thing, because it applies to hon. gentlemen opposite and they were the Government of the day. I have always laid down the doctrines that a public employé, as long as he had the right to vote, should exercise his franchise in a quiet inoffensive manner, but the civil servants in Nova Scotia exercised their franchise in the same way as Mr. Wade is said to have done at Digby, and so far from their having received a warning from the Finance Minister, who has Nova Scotia under his particular charge, one of the Customs employés at Halifax who was sent down there to take an active part in a political campaign against the Local Government of Nova Scotia, has been rewarded by having his pay raised from \$750 or \$800 to \$1,250, without any change in his position. Now, I submit if the hon. gentleman takes so exalted a view of the public service, and I may say that I am very much disposed to acquiesce in it, his conduct has not been consistent in summarily dismissing Mr. Wade, the son of an old member of this House, who was long a supporter of the hon. gentleman himself. And I must say I think it was a very ungracious act on the part of the hon. gentleman to permit the dismissal of Mr. Wade on the report of his having taken a part

against his party in the recent election. If he lays down the principle that officials can only interfere on one side, we know what that would lead to in a short time. But I hope the hon. gentleman intends to take a broader view than that. I say that the officers of the public service must exercise their franchise inoffensively. If that view were to prevail, the hon. gentleman would have to dismiss every official connected with the Intercolonial Railway in New Brunswick; he would have to dismiss nine-tenths of the officials in the post office and every other public office in Halifax, and I think the hon. gentleman is hardly disposed to go that far. I must express my regret that the hon. gentleman should have been led to adopt so extreme a course towards the son of an old supporter, who I think only expressed his own political opinions, as everyone has the right to do, and not in the offensive manner that the hon. gentleman has been informed.

Sir CHARLES TUPPER. The hon. gentleman mistakes what I have said if he supposes that I took the ground that a public official could not give an active and open support to the Government of the day. I hold that, especially under the Ballot Act, every public official is entitled to go to the polls and record his vote for whomsoever he pleases, and that no Government would be justified in interfering with an officer, however high or low his position, even if they knew that he had voted against a Minister. But I hold, at the same time, that a public officer has a perfect right to take an active and open part in support of the Government of the day. I may say that when the party now in power went to the elections in 1878, it was brought to our notice that all over the country public officers were taking the most open, violent and in many cases insulting course towards ourselves who were then in Opposition. Yet when we came into power we refused to take any notice of a single case or to disturb a single officer on that ground; because we said it was an entirely different thing for these gentlemen to actively support the Government under whom they were serving from what it would be to oppose the Government. I draw a very marked distinction in that respect, no matter what party is in power. If any public official comes out and publicly denounces the Government which employs him, I regard that as an act of insubordination, which I think ought to be followed by his dismissal from office. It was an extremely painful thing for me to concur in the dismissal of Mr. Wade, who was placed here at my own request, and whose promotion and advancement in his position I had advised. It was extremely painful for me to know that he took a course which made it impossible for me to favor his retention in office, and he was dismissed. That is the practice that prevails in England as well as in this country, whichever party is in power. I may say that one of the colleagues of hon. gentlemen opposite so understood this matter, for I happen to hold in my hand a letter sent by the Minister of Militia, a predecessor of the hon. member for Halifax (Mr. Jones) in that office, to a subordinate officer, which is as follows:—

"5th February, 1874.

"DEAR SIR,—I must inform you that the Government expects every man it employs to vote for its supporters. This being the case, I wish you to proceed to the Sydney mines and poll your vote for Mr. W. L. McKay.

"Yours, &c.,

"WILLIAM ROSS,

"Minister of Militia."

That was the policy propounded by hon. gentlemen opposite when they were in power. I would not go so far as that.

Mr. JONES. If my memory serves me rightly, I think that letter was proved to be a forgery.

Mr. WHITE (Cardwell). Not that; the letter of Mr. Vail.

Mr. JONES. I am speaking from memory, but I think that was a subject of discussion in the House subsequent to the date mentioned, and Mr. Ross denounced it as a forgery, saying that he had never written it at all.

Sir CHARLES TUPPER. I think not. At all events, I think the principle I have laid down has been the recognised policy of all parties in this country.

Mr. POPE. The hon. gentleman is greatly mistaken as to the facts regarding the employés of the Intercolonial Railway. I know places where the employés numbered 100, but where there were not fourteen votes out of the 100 given to our candidates. I know great exertions were made; and the members of the Opposition did without doubt get a majority of the Intercolonial Railway employés to vote for them. These gentlemen did not hesitate to put forward their claims on these men. Here is a letter sent out by one of the supporters of hon. gentlemen opposite, and circulated amongst the Intercolonial Railway employés:

"We have learned that you have the intention to vote for the ministerial candidate, in your county, on the 22nd inst.

"We believe it our duty to give you notice, kindly, and to put you on your guard against such a determination, because we are informed that the future Blake Government will put outside the door all employés who have been hostile to it.

"Thus, if you will not vote for the candidate of the Opposition, and if you are forced to vote, there is still a means of saving your position without compromising yourself, that is, in making a cross opposite to the name of each candidate.

"In this manner you will place yourself outside of all suspicion on the part of your chiefs, and you will not be exposed to lose your place, for, be well assured, the Government is going to fall."

Mr. DAVIES. Who is that from?

Mr. POPE. It is a circular that was sent all around amongst the employés.

Mr. DAVIES. Who is it signed by?

Mr. POPE. It is not signed; but it is one of the means hon. gentlemen took to secure the votes of the Intercolonial Railway employés, and they did secure a pretty large proportion of them. I think my hon. friend from Halifax (Mr. Jones) had something to do in convincing the employés that they were going to be placed under the authority of hon. gentlemen opposite in a short time—that they were going to be their masters. I think he had a good deal to do with it. Now, the gentleman who, I believe, wrote this letter was a former member of Parliament, and is at present a man that occupies a prominent position. This letter was circulated among all the employés.

Mr. JONES. The hon. gentleman refers to the Intercolonial Railway again. I will give him an illustration. In 1878, after the elections took place, I left for Ottawa to consult with my colleagues with reference to our retirement after the verdict of the country had been pronounced against us. The hon. member for Cumberland, now Finance Minister, was about going to Halifax, and orders came from the head of the Department at Moncton to the Department at Halifax—this was before the Government of which I was a member had resigned—to make preparations to receive the conquering hero from Cumberland. He was accompanied by other members from the adjacent counties, and the Intercolonial Railway Department was decorated and illuminated by the employés, who were holding office under the Administration of which I was a member. There never was a more indecent—and I think that expression is parliamentary as applied to such conduct as that—a more improper exhibition of political feeling on the part of men who had been left in their places by the Government of which I was a member, although they were Tories and Conservatives appointed by the previous Administration—there never was a more ungrateful exhibition made by the public service of the country than the Intercolonial Railway employés made on that occasion; and from that moment down to the present hour there has

been a most direct open hostility on the part of every one connected with that department, and the public departments in Halifax as well, to the Liberal party. I am sorry the hon. the Minister of Finance has taken the ground he has. I have always taken the ground that an elector, so long as he has a right to vote at all, should exercise his vote freely, but he has no right to exercise it offensively against either one party or the other, because he is the servant, not of the public, but of the country who pays him; and if the doctrine which the Minister of Finance has laid down to-night comes to be understood, there will be an agitation excited to place the civil servants in a position in which they cannot be tempted to act for one party or the other. The hon. gentleman should remember that one-half, perhaps more, of the sheriffs in Nova Scotia to-day are active political partisans against the Local Administration, and will the hon. gentleman point any one case in which the Nova Scotia Government, for that reason, displaced one of these officials? I remember a scene which took place in the county of Shelburne, the other day, during an election contest there, when one of the candidates, Mr. Mackay, was so publicly insulted by the sheriff that it almost led to a breach of the peace. Yet the Local Administration did not dismiss that man, although his conduct was outrageous. I am sorry, therefore, the Minister of Finance has been led into an act, which, in his calmer moments, he will regret.

Mr. TUPPER (Pictou). My hon. friend from Halifax seems to think that hon. gentlemen in this House have the very short memories which he, in the early part of the Session, showed he possesses. I am amazed at the boldness of the hon. gentleman in repeating the statement he has made as the enunciation of his ideas and opinions in reference to the rights of civil servants, whether employes on the Intercolonial Railway or in any other department, to exercise their franchises. He repeats the statement, which I confuted, not long ago, by reading a report of his own speech, when he spoke with some reason to induce those who heard him to believe he would carry out the threat he then made. He spoke at that time, of course, with some effect as the coadjutor of the then Minister of Militia, Mr. Ross, whose letter was read here to-night.

Mr. JONES. It was not his letter at all.

Mr. TUPPER (Pictou). The hon. gentleman pretended that was a forgery, but it was curious that the same views expressed in that letter were expressed by the hon. gentleman himself in the same year. That letter was dated February, 1874; and, strange enough, similar sentiments were expressed by the hon. gentleman in this House on 9th January, 1874. I have read his language already in the House, and I will read it again, as the hon. member for Halifax seems to have forgotten it, when he makes the statement that he had always considered members of the Civil Service should be free to exercise the franchise as they thought proper. He said:

"So long as they served the State they were protected in their offices, but if they disregarded that practice and took a part against the Government, whose subordinates they were, they took their offices in their hands, and would stand or fall with the party."

Therefore, this language, most insulting according to the hon. gentleman's views of to-night, is the language he then used in his own county in addressing his electors. The hon. gentleman will have to explain how it is comes that such a change has come over the spirit of his dream. The change, probably, is due to the fact that the hon. gentleman speaks now as a member of the Opposition, while then he spoke as a member supporting the Government. I think it is most unfair on the part of the hon. gentleman to fling at the Civil Service of Nova Scotia the wholesale charges he has cast at them to-night, especially at the hard working branch of the Government service, namely, the Intercolonial Railway. The charges he has made he has substantiated in no

Mr. JONES.

shape or form. Those men employed on the Intercolonial Railway are most efficient men, who, when they do leave the Intercolonial Railway, command special positions on private railway companies, both in Canada and the United States, and the hon. gentleman has no evidence to prove his wholesale charges. He himself would not, on reflection, say that the employes on the Intercolonial Railway acted in a violent manner in that election. All that can be said is that they took an active part so far as discussing the questions of the day were concerned, that they took an active part so far as being interested and concerned in the result of that political election, in which they had a right to poll their votes. I saw as much of the Intercolonial Railroad employes as the hon. gentleman opposite. To a large extent that road runs through the county of Pictou, and I saw no violence on their part. They pursued their ordinary occupation, they performed their duties properly and efficiently, and they were most orderly. In fact there were no electors during that contest who conducted themselves with more decorum than the employes of the Intercolonial Railway; and I say it is unworthy of the hon. gentleman, without being able to bring a specific charge against some individual, such as the charge which has been brought to-night, and which is pertinent to the discussion, without being able to bring such a charge against any individual in the Intercolonial Railway service, and to take the responsibility and to follow up the charge, to state in this general manner that the Intercolonial Railway employes conducted themselves in a violent, and partisan, and offensive manner during the elections. Since the hon. gentleman makes that charge, I deny it, and I am in just as good a position as he is to know. I say they conducted themselves properly, and considering the importance of the issue in which they were as much interested as the hon. gentleman himself, I think the very fact that they did perform their duties efficiently at the same time is much to their credit. The real reason why the hon. gentleman is excited and annoyed, is that these men, having tasted and known what it was to be under a Reform Government, were most excited and fearful lest they should be placed in that position again. They had had five years of it; they had existed during that five years, but I dare say they doubted if they could pull through another five years, or if that Province, in which they had as much at stake as any other electors, could pull through. I know of my own knowledge men in the Intercolonial Railway service, some of whom—I do not believe the majority—voted against the Government. As far as the county of Pictou goes, I know the majority did not, because they felt it was to their interest, or to the interest of the county, or of the Province, that the present Government should not be upset; but I do know men who are enjoying their positions still who not only voted, but worked against the return of my colleague and myself. I believe that was the case in other parts of the line, but no doubt they considered the very offensive language which was used by the senior member for Halifax (Mr. Jones) in the previous election, and I have no doubt that that language induced many of them to take a stronger part with the Government of the day than they intended to take previously to that. I have no doubt that the spirit in which the hon. gentleman acted towards them did not give them a pleasing assurance of how the service would be conducted, or how they as employes would be treated if that hon. gentleman were by any accident returned to power or were to become of any political importance. I do not think the House is interested in the hon. gentleman dragging it continually down to the Province of Nova Scotia to listen to these wholesale and reckless charges against the electors of the Province or branches of them. I do not think it is pertinent to the question here. The hon. gentleman was quite in order and was treating the House fairly in dealing with the specific

matter which he brought up. It was a matter which we could discuss satisfactorily, but I do not think the attempt he is continually making of going back to the old fight in Nova Scotia, and making charges against the men who could not support him in this hap-hazard way will commend itself to the approval of the House.

Mr. JONES. I am obliged to the hon. gentleman for one thing, and that is for his reference to my speech in 1874. Of course, I should feel deeply grateful to him for the lesson he has endeavored to teach me as to the propriety of discussing any matter in this House. Any member who has been as long as I have been in the House should, of course, be willing to receive a lesson from a young gentleman of his age and experience, so I will take it in the way he has intended to give it. But the hon. gentleman has quoted my speech, which he quoted once before, as having been delivered in 1874. Now, that speech bears out exactly and correctly the sentiments I uttered during the late election in Halifax, and the sentiments which I have delivered here to-night. I said, according to the hon. gentleman's quotation, and I presume he is correct, that, "as long as they served the State they were protected in their offices, but, if they disregarded that principle and took part against the Government whose subordinates they were." What did I say to-night? I accorded them the perfect right, as long as they had a vote, of exercising the franchise freely, but I said that, when they went and worked openly against the Government or the Opposition, one side or the other, they were going outside of their duty and their position, because they were not the servants of the Government of the day but of the country, and were bound to pay that deference and respect to the public sentiment of the country, whose servants they were. The hon. gentleman says he saw no violence in Pictou among the railway people. I have not accused them of violence at all. The hon. gentleman seems to work himself up into a fit of excitement, and attributes to me what I never uttered. I said they were political partisans, placed there by the Government which he supports. No doubt he found them very convenient. He says he was conversing with them. The hon. gentleman knows full well that he and the Minister of Finance and the Postmaster General had the full run of the Intercolonial Railway, and were bringing up men from all parts of the Province to vote in that election. Men were brought from Spring Hill over the Intercolonial Railway to vote for the hon. member for Pictou. And who paid? Does anyone suppose that these men came of their own accord? I know of my own knowledge that railway passes were distributed to people in Halifax to go and vote for the hon. member in Pictou. I know a man in my own employ who had a railway pass sent down from Pictou to go and vote for the hon. gentleman, but he preferred to remain in Halifax and voted there. Ten days' after the election was over he came to me and said: I have a railway pass which was sent down to me to go and vote for Mr. Tupper in Pictou, and, as I have some friends in Pictou, and it does not cost me anything, I think I will go up there; and he went up.

Mr. TUPPER (Pictou). I deny that absolutely.

Mr. JONES. I will give the hon. gentleman his name.

Mr. TUPPER (Pictou). If you give me twenty names, I will deny it.

Mr. JONES. The hon. gentleman cannot deny it.

Mr. TUPPER (Pictou). I deny that I sent any such pass.

Mr. JONES. It was sent by the hon. gentleman or by his friends.

Mr. TUPPER (Pictou). The hon. gentleman said that I sent these passes. I deny that absolutely.

Mr. JONES. The hon. gentlemen and his friends sent these papers all over the country, with new books and passes, and placed them in the hands of private individuals. There are passes in existence to-day in Truro and Pictou written out by some large firms there supporting the present Administration, and not by the Railway Department at all. These passes were distributed and these papers were sent down to these men in Halifax to induce them to vote for the hon. gentleman. The man I refer to remained in Halifax and voted there, and then went up and made a visit to his friends, after the election was over, at the country's expense. That is what I denounce. I say these gentlemen made use of that railway for bringing men up and down the line, from one port to another, with free passes, day after day and week after week, and every man who was required to go, in the interests of the party, from one county to another to vote for gentlemen supporting the Government, were given free passes over the Intercolonial Railway. That is only one instance which I brought to the notice of hon. gentlemen to-night. No doubt they found these men very complacent; they were put there by the Government and they will remain there. I did not expect that they were going to put good Liberals there at all, but what I did expect, and do expect still, is that these men will be allowed to exercise their right of franchise freely and uninfluenced by the Government. If they vote for the Government, I do not object, but I contend that it is not in the interest of the public service in this country that the civil servants and railway employes should be identified so strongly with one political party or the other. That is the ground which I took in the speech the hon. gentleman has referred to; that is the ground which I took during the late election in Halifax, and that is the ground I take to-night.

Mr. TUPPER (Pictou). As the hon. gentleman has spoken three or four times, I may, perhaps, be allowed to trespass a little further upon the attention of the House. My youth seems to distress the hon. gentleman, since he has twice alluded to it upon this and another occasion. I think in respect to age, I have a slight advantage over the hon. gentleman, and I only hope that when I reach that advanced age in which the hon. gentleman seems to revel, that I will remember better than he does the speeches I make before coming to the House, so as not to contradict myself when I reach the House. I am glad that though the hon. gentleman is an old member, he has seen the errors of his ways in the short discussion that has taken place to-night. He has receded entirely from the position he took in the first place, and he has retreated in considerable disorder. Under cover of criticising the dismissal of Mr. Wade in the county of Digby, he made a charge against the Intercolonial Railway employes and the civil servants generally. He winds up to-night by saying that all he denounced was giving passes to people in the city of Halifax, Springhill and elsewhere, which enabled them to go over the railway and vote in the election. Well, Sir that was not the position the hon. gentleman took in the first place. That is the position that he takes now, and that is the way he endeavors to explain away the language that he used in the beginning of the discussion. He has started an entirely new issue and pretends the only denunciation he delivered was against the granting of these passes. That subject was not before the House until the hon. gentleman's last speech. He began an unfair attack against the civil servants in Nova Scotia and the employes on the Intercolonial Railway. But I am glad to see that after reminding him of certain speeches he delivered in that Province on this question, and calling upon him to give a specific instance in which any man on the Intercol-

onial Railway or any civil servant has conducted himself improperly—I am glad to see that he recognises that discretion is the better part of valor and he has retreated. He says that all he said in 1874 is what he states now, namely, that these men in the Civil Service are servants not of the Government, but of the country. I will call his attention to the language that he used in 1874. He said then that these men were “the subordinates of the Government”; and his organ, the *Morning Chronicle*, of Halifax, the next morning, in printing his speech said, in alluding to those officials:

“They are certainly not free to vote against Mr. Jones or Mr. Power, and if any one of them votes, canvasses, or in any way opposes the Government of which he is the subordinate”——

The language of the hon. gentleman himself—

“he will do so at his peril. This is explicit enough.”

According to this language of the hon. gentleman and his organ at that time, these men were not servants of the country but they were the subordinates of the Government, and were threatened to vote for the Government candidate.

Sir RICHARD CARTWRIGHT. I think, if the hon. member for Pictou (Mr. Tupper) wishes to recommend himself to this House, he will do well to consider the propriety of speaking a good deal less and thinking a good deal more, for the future.

Mr. TUPPER (Pictou). Will the hon. gentleman mind following that road himself?

Sir RICHARD CARTWRIGHT. I am not disposed to enter into a discussion as to what was done on the Intercolonial Railway; that will come on with propriety a little later. I was sorry to hear the Minister of Finance lay down one proposition—I hope I did not understand him distinctly. He stated that, in his opinion, it was right to dismiss a Government employé who actively opposed the Government of the day—in which I concur. I have done it myself, and I would do it again, if I were called upon, I can assure the hon. gentleman of that. I know he will keep his word and he knows I will keep mine. But I think the hon. gentleman has done a dangerous thing for a person in his position when he laid down the doctrine, if I understood him correctly, that the members of the Civil Service throughout the country were justified in actively supporting the Government of the day. Now, that is a very dangerous doctrine. Most undoubtedly if that doctrine is affirmed, coolly and deliberately, by him and other persons in his position, we will, under one form or another, have the American system introduced here, and a change of Government will be the signal for the dismissal of a very large number of officials who have actively interfered in the elections. I myself should deplore that. I have always regarded it as a great blot on the American system that members of the Civil Service of that country were taught and trained to regard themselves as members of a particular party and not servants of the State. I have never hesitated to express my opinion that the members of the Civil Service, as a whole, would be better off if they had no votes. That is my individual opinion, but I am aware that on that opinion there is a great deal of room for discussion *pro* and *con*. But I do not think it is a wise thing for an hon. gentleman occupying his position to virtually indicate to the civil servants of this country that the Government expect them to be their active political supporters, and that construction will undoubtedly be put on the words he has used to-night. If he does that, I repeat that he may regret the assertion, because sooner or later, if they or any considerable number of them act upon that opinion, they will find they took their lives in their hands when they attempted to support actively the Government of the day. If the hon. gentleman be correct as to what he

Mr. TUPPER (Pictou).

said touching the conduct of certain officials in 1878, against the party with which he was then in concert, all I can say is that to the best of my knowledge my friend Mr. Mackenzie invariably stated to all civil servants with whom he came in contact when he was Premier, that he did not expect them to take part in elections on behalf of the Government, and I know myself that when I was a Minister of the Crown I constantly advised civil servants not to interfere on the ground I have stated to the House to-night. I should hope that the hon. gentleman would, on consideration, modify the statement he has made, the outcome of which might be of a very serious consequence. We cannot tell what may occur in a very few years. Hon. gentleman opposite appear to be safely seated now, but I have seen much stronger governments reduced to a very great extremity in a very short time, and we may see it again.

Sir CHARLES TUPPER. What I said I repeat, that it was the recognised policy of all parties to permit the public officials to support the Government. I have shown the hon. gentleman that his own colleagues actually place that statement over their own official signatures.

Sir RICHARD CARTWRIGHT. Perhaps the hon. gentleman will permit me a word. I have in my recollection also that letter of Mr. Ross, to which he has referred, and I think he will find—we had no *Hansard*, unfortunately, in 1874—if he refers to the journals of the day that Mr. Ross entirely disputed the correctness of the letter read.

Mr. JONES. It was a forgery. I recollect it now.

Sir CHARLES TUPPER. I will not undertake to speak as to the authenticity of the letter further than that it was placed in my hands, and I supposed it to be authoritative. I do not remember it being established as a forgery. I think, however, the fact of so prominent and leading a supporter, the leader of the hon. gentleman's party in Nova Scotia, who sits behind him, using language, and it could hardly be stronger than he used on that occasion in 1874—a gentleman who afterwards became his own colleague—in which he distinctly stated that persons who opposed the Government, not persons who took an active part in elections, took their political lives in their hands.

Sir RICHARD CARTWRIGHT. The hon. gentleman explained that he never objected to their voting.

Sir CHARLES TUPPER. I am now speaking of their opposition to the Government. That was the principle the hon. gentleman laid down; he laid it down as clearly and as distinctly as it was possible to lay down any proposition. The organs of the party of hon. gentlemen opposite in New Scotia, Ontario and everywhere laid down the same principle, and that was that the crime was not in taking part in elections but in taking part against the Government; the only time when they took office in their hands was when they took part against the Government. I quite agree that it is most desirable that civil servants should abstain from taking an active part in elections for or against the Government. While I think they run a chance of dismissal if they take part against the Government, I do not think it is desirable that they should take an active and open part in favor of the Government, but I draw the line very strongly as to it being an act of subordination or insubordination in supporting the Government of the day and giving it a violent opposition.

Mr. DAVIES. I was very glad to hear the qualifying remarks which the Finance Minister has given to his first speech. As I understood his first speech, it was an open invitation to members of the Civil Service to take an active and violent part if they choose against the Opposition of the day, and in doing so they could act with perfect impunity, whereas if any civil servants acted openly against the Government their conduct would be met with dismissal.

While I heard such a declaration made by such a prominent Minister with regret, I heard his qualification with some degree of pleasure. But I think this is so important a question that a word or two might be said with respect to active and offensive interference against the Opposition. I must say, speaking as a humble member of the Opposition, that if the whirligig of time brought about political revenge to us and we came into power, I would refuse to support a Government that did not insist on the dismissal of every civil servant who acted in an active and offensive manner to our party. I think a civil servant has a perfect right, under our constitution, to give his vote for whomsoever he pleases.

Sir CHARLES TUPPER. I did not say anything to justify offensive action against anybody.

Mr. DAVIES. It is pretty difficult to draw the line as to what is offensive and what is not, but open, active, offensive interference at public meetings against a candidate certainly comes under offensive political conduct, and I maintain that any civil servant who adopts that line of conduct takes his civil life into his hands, and if his opponents come into power they would be poltroons of the worst kind—and I hope the party to which I belong are not—

Sir CHARLES TUPPER. Not his civil life but his official life.

Mr. DAVIES. His official life as an officer of the Government. I maintain that they are not officers of the Government in the sense of the term used to-night; they are simply officers of the State, not owing any allegiance whatever to the Government of the day; and if they act as the large mass of the Intercolonial Railway employes acted during the last election at Moncton, at which place the officers of the company form a hot-bed of political propagandism, they can only expect one result to follow if the Opposition comes into power. Not only were they active, violent and offensive in their opposition, but it is a question of public notoriety that the leading officers of that important branch of the public service dragooned the subordinates in the Department, and compelled them at the point of the bayonet to go forward and vote against their convictions. The hon. gentleman smiles. He may not have spent much time in Moncton. It is a matter of public notoriety that the men were not allowed to vote as they pleased, but they were dragooned to vote in a certain way on peril of dismissal.

Sir CHARLES TUPPER. No.

Mr. JONES. That is true.

Mr. DAVIES. It is a matter of fact within my own knowledge. I have heard it from a number of servants, who were compelled to vote in a certain way on pain of dismissal.

Mr. KENNY. Was it open voting?

Mr. DAVIES. No, but precautions are taken, so that it is known as to how they vote.

Some hon. MEMBERS. No, no.

Mr. DAVIES. I admit that some hon. gentlemen opposite quite understand the ropes. The men are given to understand that it will be known for whom they vote; and as I have heard it stated in this House, and I believe it to be a fact, in very many constituencies paper is used of such a material that the manner in which they vote is known. The men are instructed that if they dare to exercise their franchise in the manner which their conscience directs, they will do so at the peril of losing their offices. That being the case, I hope the Minister of Finance will use his influence to introduce a reform in the system on the Intercolonial Railway, and that he will have carried out in practice the principles he has laid down to-

night. But I must say that if any inference was to be drawn from his remarks by any civil servant in the country, it would be that he could take an active, open, notorious and offensive position against the Opposition with impunity, and I hope the hon. gentleman's later remarks will remove that impression. I am quite satisfied that so far as I am concerned, the Opposition would not tolerate—for it would not be human nature to endure such conduct—such conduct if they came into power. I thoroughly believe in every civil servant having the right to vote if he pleases, and, perhaps, his position may require him to do more than vote, he may speak to a friend; but he has no right to take an open and offensive attitude against either the Government or the Opposition.

Mr. LANDRY. I was very much surprised to hear the remarks made by the hon. gentleman who has just taken his seat. I am not in a position to contradict what the hon. gentleman has said, because in these matters either he or I, actively engaged in politics as we have been in our respective districts, must take such matters as he has been speaking about, from what we are told rather than from what we know ourselves. But if the hon. gentleman is sincere in the assertion which he makes about the political influences that were at work in the town of Moncton—as I have no doubt he is—then I can only say that my information is entirely astray. I live much closer to the place than he does; I venture to say that I am better acquainted with Moncton and with the civil employes of Moncton than he is, and yet I say that if he is correct my information must be very far astray indeed. My information is—and I can only assert that I believe that information—that a very large majority of the civil employes of the Intercolonial Railway, in Moncton, voted against the Government candidate at the last election. I believe that to be the case and I say it here where I know it will reach them, and reach the people of Moncton. I believe they voted against the Government, not because they believed a change would be better, not because they desired a change themselves, but because by some unknown means—perhaps by means of such a circular as we have heard read to-night—they had become convinced that the Government would fall. They felt sure of the Government being defeated, and, therefore, they thought they would be on the safe side with the incoming Government, and would be retained very more readily if they could say that they voted for that party than if they had voted otherwise. I believe that that opinion controlled a large majority of their votes. Now, we have proof of that fact, if we can call anything of that kind proof of such a matter, by the result in the localities where these people live. It is well known that the district of Moncton, where a large majority of these civil servants reside, is the district where the Opposition candidate received the largest number of votes. This is well known—not by watching how they voted under the ballots, but by the result in these districts. I do not say this in the way of reproach on these people, because I believe that civil servants should be allowed to vote as they please, like anybody else. But if they take it upon themselves to act a violent part against the Government, then I believe the Government has a perfect right to say to them: You must share the fortunes of your party and go with them. On the other hand, I think that, if the Government falls, the Opposition have also a perfect right to dismiss men who have been taking an open, active part in favor of the Government and have the right to bring in other men. That is my doctrine. I assert it with some degree of hesitancy, inasmuch as we have been told here to-night that we younger members should think more and speak less, but I think that, if we have the good fortune to remain longer in politics, we may have the same privilege with the older men, and we may also be permitted to

change our minds when we grow older, as some other hon. gentlemen apparently have changed theirs. Holding that opinion, I do not hesitate to say that the civil servant who thinks it incumbent upon himself to take an active part one way or the other, must expect to stand or fall with his party. And if I have any reproach with the Government—I do not say I have—but if I have any reproach to make against the Government it is that they have not discriminated sufficiently between their friends and their opponents, in the promotion of officers in the employ of the Government.

Some hon. MEMBERS. Hear, hear.

Mr. LANDRY. Hon. gentlemen may laugh, but I repeat that if I have one reproach against them it is that I believe that, in many instances, our opponents have had a more speedy promotion, and have, in many instances, even been originally engaged more readily than our friends have been. I may be wrong in this, because I know that civil servants, as a class, are very apt to be wrongly accused; some hon. gentlemen here to-night have accused them, as a class, of supporting the Government almost unanimously, while, on the other hand, I have accused them of having voted for the Opposition. I dare say that hon. gentlemen on the other side are as sincere as I am. I do not hesitate to say that where everything else is equal—I do not say you should appoint or promote men who are manifestly unfit for the office—but where persons are equal in ability, equal in other respects, equal in honesty or integrity, I say that the Government should favor their supporters in preference to their opponents.

Mr. ELLIS. I think the hon. gentleman is insatiable. Apparently he does not get offices enough for his friends, and he is not satisfied with the rate of promotion on the Intercolonial Railway. I do not propose to quarrel with him about that. I would not have spoken on the matter at all but for a remark the hon. gentleman has made with regard to the Intercolonial Railway officials. How the Intercolonial Railway officials have voted I will not pretend to say, but that the Government, or somebody in their interest, used every possible influence to get them to vote for the Government; and that all the influence which the railway could bring to bear on the officials to vote for the Government were brought to bear, is an undoubted fact. As I was once in the Civil Service myself, knowing the risks which surround it, I kept as clear as possible of the Civil Service men in my canvass; but I may say that, in 1878, when I was postmaster of St. John, and had many subordinates, I was not applied to by the Mackenzie Government, nor by Mr. Burpee, with whom, I may say, I was in constant contact, to use any influence of any kind or sort, nor was a single official in the post office at St. John canvassed for the Mackenzie Government, so far as I am aware. But, with regard to the late election, there is no doubt that railway officials who might be supposed to possess particular influence, were sent to every point where they might be of the greatest use in assisting the Government candidates. Some were taken from their regular positions and sent to one place and another, because they were supposed to possess influence at these particular places. More than that, they were asked, and I presume they were compelled, to stand as representatives at particular polling places for particular candidates of the Government. I do not say whether they were asked to do so for my hon. friend—

Mr. LANDRY. Not with my knowledge.

Mr. ELLIS. But if there was a railway man who was supposed to be capable of performing a particular service, I am satisfied he was sent to Kent—or at any rate they were sent to St. John, or wherever else they might be supposed to be able to support Government candidates. Perhaps it is not worth while disputing about that; I am not finding any particular fault, but the facts are beyond dispute. With regard to

Mr. LANDRY.

what has been said by the Finance Minister, I do not think it was well to encourage civil servants to take an active part in elections, as speech-makers or canvassers, because it is only human nature that, if the Opposition party at any time come into power, they will cut off the heads of these men; and while it may be that it would be a better principle to change all the employés of the country when a new Government comes in power—and I do not say it would or would not, because I have my own ideas with regard to men who are constantly in the Civil Service, and get blue-moulded in it—yet that is not the principle adopted in this country, and it would not be well to encourage it at present by any ministerial utterances.

Mr. THOMPSON. I rise only for the purpose of calling attention to one statement which was made this evening, that a Customs official of Nova Scotia has opposed the Local Government, and that his salary was increased from \$600 to something like \$1,250, without any change of position. I should like to ask his name.

Mr. JONES. I was informed that Mr. Morris, a clerk in the Custom house, who was receiving a salary of \$650 or thereabouts, was directed by the Department here to go along the eastern shores, and take part in an election against the Local Government; that he was provided with fishery warrants to distribute along the shore where he had been fishing. I am informed that his salary has been placed at \$1,200 or \$1,250, and that he occupies the same position in the Custom house that he had previously.

Mr. THOMPSON. I do not know what Mr. Morris's action in connection with politics has been, but I can assure the hon. gentleman that he is entirely mistaken as to the action of the Government in regard to him. Mr. Morris was not in receipt of \$600 a year; he was in receipt of \$800. He receives \$1,200. His position has, however, been changed. He has received a higher appointment. In occupying that higher position, he has received a smaller salary than the person he replaced, and he has been promoted to that position at the urgent request of the head of the Customs service at the port of Halifax, namely, the Hon. William Ross, who was one of the hon. gentleman's colleagues, and he was recommended to the position before the general election. He passed the usual qualifying examination to obtain it, and was entitled to the promotion in every way, both by the examination and by long service.

Mr. JONES. My information came from one in the Department, that although his position, to a certain extent, had been changed, his duty in the Custom house to-day was the same as when he drew a salary of \$800.

Mr. THOMPSON. I repeat that the hon. gentleman has been entirely misinformed. Some time before his regular appointment and pending his promotion examination, he was appointed *pro tempore* to the office.

Mr. JONES. I think the Minister of Justice has been misinformed.

Mr. THOMPSON. No, I have not. I got the information from the department in Halifax, and subsequently from the Minister of Customs.

Mr. JONES. Does the hon. gentleman say that he did not go along the shore with the fishery warrants?

Mr. THOMPSON. I have been informed, and very credibly, that the hon. gentleman was mistaken on that point, too.

Mr. LANDERKIN. After the Minister of Railways read the circular he did read, he disappeared from the House. I think it would be well if we had that circular placed on the Table of the House to be examined. I have an idea that he was reading one of his own circulars, because I do not believe that anything of that kind emanated from our friends

during the election. Nor do I agree with the policy laid down by the Minister of Finance in regard to officials. I believe that when an official enters the Civil Service he should then abandon politics. I shall not go so far as to say he should not vote, but I say he should not act offensively either for or against the Government, or for or against the Opposition. I think that when a person goes into the service he should then feel that he is going into the service of the country for life. Neither do I approve of the conduct of this Government in reference to the treatment of the officials who were appointed by the previous Government. It is well known that, soon after they came into power, they took away by an Act of Parliament the offices of a great many who were appointed by the preceding Government; I refer to the inspectors of weights and measures. By an Act of Parliament they were struck out of existence on a not very proper plea, the plea that it would be a saving of public money. After their heads had all been cut off by that act of legislation, only a short time afterwards their places were filled again by another Act of Parliament, and we find now that the money expended for the purpose of maintaining inspectors is nearly equal to what it was at that time, because, in addition to inspectors of weights and measures, they have inspectors of gas, of adulteration of food, and for other purposes. I wish the Minister of Finance would send for the Minister of Railways. I would like to see that circular. I think he will find that it was one issued by the heads of the departments, and he must have been reading one of his own circulars, for I hardly ever heard him read anything so well before.

Mr. WELDON (St. John.) With regard to the remark of the hon. member for Kent (Mr. Landry) that there was no influence used in Moncton, it must have been the only exception. I know that in the late election greater pressure was put on the railway employes than on any other class as to how they should vote, not only in the Federal elections but in the Local elections. I have in my mind a prominent official who stood at the poll and watched the railway men to see how they voted. The railway was used to convey them to the polls without expense, and the men on the train were sent back to vote for the supporters of the Government. I know from my own personal experience that, during the canvass, a man in the employ of the Government was afraid to speak to my friends because he was watched by certain individuals. In the election of 1882, when the late Mr. Burpee was running with me, men told us that they were afraid to be seen speaking with us because they would be marked men. It would be far better that men in the Civil Service should be relieved of the franchise altogether. I believe, if they were asked the question to-morrow, the majority would be quite willing to be relieved of the franchise on account of the difficulties in which they are placed. Of course, if they choose to go out and canvass, they take their offices in their hands. I have known the pressure to go so far, in some instances, that it has been threatened, not only that if they voted, but that if their friends took an active part in the election, it would be remembered against them.

Mr. McMULLEN. With regard to this circular that has been produced by the Minister of Finance, I think it is unfortunate that a letter of that kind, which has been pronounced to be a forgery both by the person supposed to have issued it, and by members on this side of the House, should be brought up to do duty on this occasion, especially after the man supposed to have issued it has retired from public life. I think it should be a lesson that such things should not be used in the future. With regard to my own constituency, I know that every official of the Government there exercised all the influence he possibly could against me. In one case, the postmaster is president of the Conservative Association in the town where he lives, and he

took a very active part in opposition to my candidature. I know of another case in which the Minister of Justice was called upon to exercise the clemency of the Crown towards the prisoner; and I know that a member of Parliament, who was the sitting member, wrote to this person and friends urging that, as the Minister of Justice had exercised the clemency of the Crown towards him, he and all his friends should support the Government.

Publishing Debates, House of Commons..... \$40,000

Sir RICHARD CARTWRIGHT. I observe that cost \$80,000 last year.

Sir CHARLES TUPPER. We will hope for better things this year.

Sir RICHARD CARTWRIGHT. The hope is excellent. I have not the least objection, if it were within his power to control it, that the hon. gentleman would cut down that item. There is no particular use in putting items here which are apparently very inadequate for the practical maintenance of the service. If we spent \$50,000, as we appear to have last year, although I notice some portion of that appears to have been a balance carried over, I doubt whether we can get through for \$40,000.

Sir CHARLES TUPPER. It has been carefully estimated by the officers of the House.

Mr. TUPPER (Pictou). We could get through more quickly if the hon. gentleman would follow the rule he laid down, and think more and say less.

Salaries to Officers of the Library.....\$16,900

Sir CHARLES TUPPER. That is a statutory increase of \$300 for the clerk appointed at \$1,000 and estimated at \$750, making \$550 increase in all.

Sir RICHARD CARTWRIGHT. I notice in last year's account a curious item. Mr. Decelles is put down for \$2,940, and differential pay, \$1,143.34. How came that?

Sir CHARLES TUPPER. I will make a note of it.

Sir RICHARD CARTWRIGHT. The sum total paid appears to be \$4,073. You will find it on page 123 of the Auditor General's report.

To meet expenses of Franchise Act.....\$200,000

Sir CHARLES TUPPER. I propose to strike that out. There is a Bill to avoid any expenditure this year.

Committee rose and reported progress.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to, and House adjourned at 12:05 p.m.

HOUSE OF COMMONS.

WEDNESDAY, 1st June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READINGS.

Bill (No. 124) respecting the Ontario Pacific Railway Company.—(Mr. Rykert)

Bill (No. 125) to incorporate the Manufacturers' Accident Insurance Company.—(Mr. Small.)

RULES RESPECTING PUBLIC BILLS.

Mr. HALL moved :

That the Special Committee appointed to assist Mr. Speaker in revising the rules respecting private Bills, in so far as they relate to the incorporation and the amendment of Acts incorporating railway companies, be also authorised to make provision in the said rules so as to more clearly define the practice respecting *Public Bills* that may be referred to any of the Select Standing Committees charged with the consideration of private Bills, in accordance with the recommendation of the Select Standing Committee on Banking and Commerce.

Sir JOHN A. MACDONALD. I would ask my hon. friend to allow that to stand until to-morrow, so that we may have an opportunity of reading it.

Mr. McCARTHY. I would explain to the hon. First Minister the object of the motion which my hon. friend has made. We find that when public Bills are referred to the standing committees, which are really only, properly speaking, charged by the rules of the House to deal with private Bills, that we are in this position: that we go through the Bill first, step by step and clause by clause, before we deal with the preamble; and when we come to the preamble, we may find that the sense of the committee is against it, and the whole time spent on the Bill has been lost. If the standing committees are to deal with these Bills, there ought to be rules specially framed with reference to them. For instance, a Bill was before the Committee of Banking and Commerce this morning, relating to bankruptcy. The principle of the Bill was not discussed, but when we came to consider the preamble, the committee voted that it was not proved; and as the preamble was that "Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows," our proceedings seemed rather absurd. If the standing committees are to deal with Bills relating to public matters, there ought to be special rules for that purpose. I move the adjournment of the debate.

Sir JOHN A. MACDONALD. The motion is more important than it first appeared to be. I think the hon. gentleman had better leave it over for several days until we have an opportunity of considering the whole matter.

Motion agreed to, and debate adjourned.

CHANGES IN STANDING COMMITTEES.

Sir JOHN A. MACDONALD. The hon. member for Restigouche, who has succeeded his brother, is, of course, not on any standing committee. On consultation with hon. gentlemen opposite, it has been agreed that he should be put in the place of his deceased brother on the committees.

KINGSTON GENERAL HOSPITAL AND ST. CATHARINES MARINE HOSPITAL.

Sir DONALD SMITH asked, 1. What is the aggregate of the moneys that Parliament has from time to time voted to the General Hospital at Kingston and to the Marine Hospital at St. Catharines, during the term of years from the date of Confederation to the present time? 2. What is the total sum that has been paid to the said hospitals by virtue of the said votes? 3. To what particular fund or account have the moneys so paid been charged in the Government's or Department's books? 4. Under what provision of the Statutes has the said expenditure been so charged?

Mr. FOSTER. The aggregate of the moneys that Parliament has from time to time voted to the General Hospital at Kingston and to the Marine Hospital at St. Catharines, during the term of years from the date of Confederation to the present time, is \$9,000 for St. Catharines, and \$7,000 for Kingston, making in all \$16,500, being a grant of \$500

Sir HECTOR LANGEVIN.

each per year. The total sum paid to the said hospitals by virtue of the said votes is \$16,500. The moneys so paid have been charged in the Government or Department's books to the appropriation for Marine Hospitals and Sick and Distressed Seamen. This expenditure has been charged under no particular provision of the Statutes, the appropriations being made by Parliament from year to year.

SHELBURNE HARBOR ISLAND.

Mr. ROBERTSON (Shelburne) asked, What policy the Minister of the Interior proposes to pursue in reference to the islands in Shelburne harbor formerly controlled by the British Government, but transferred by it to the Department of the Interior some years ago? Are these islands now under lease, and if so, to whom and upon what conditions? If sold or leased to private parties hereafter, will the Department ask for tenders, or will private arrangements be made?

Mr. WHITE (Cardwell). Commissariat Island has been leased upon the usual conditions. The other islands in the harbor have been handed over to the town of Shelburne for a nominal consideration, upon the understanding that the natural beauty of the islands shall be protected.

BARRACK LANDS AT SHELBURNE, N.S.

Mr. ROBERTSON (Shelburne) asked, What disposition the Department of Militia propose to make of the barrack lands at Shelburne, Nova Scotia? If leased to private parties, will it be done by public tender?

Sir ADOLPHE CARON. The barrack lands are occupied by Mrs. Mackay, under lease given to her husband, Donald Mackay, at the nominal rent of one shilling. The lease was given by the Imperial authorities. Mr. Mackay died, aged 107, before the transfer of the property to this Department.

REVISED STATUTES.

Mr. McMULLEN asked, Is it the intention of the Government to give to the several justices of the peace in the Dominion a copy of the Revised Statutes, or only an abridged copy? If only the latter, what will be the difference in the cost of the abridged copy and the revised edition?

Mr. THOMPSON. It is not the intention to distribute the Revised Statutes. It is the intention to distribute an abridgment containing the criminal laws of Canada. That will be distributed gratuitously. The cost of production of the abridgment is about one-fifth that of the Revised Statutes.

POSTMASTER GENERAL'S REPORT.

Mr. McMULLEN asked, Whether it is the intention of the Government to distribute any more copies of the Postmaster General's Report, and if so, when?

Mr. McLELLAN. There have been some delays in distributing the report, in consequence of the sheets having been sent to the vaults of the House for storage, and other matter having been placed on top of them they could not be reached for some time. They are now in the hands of the printers and will be distributed in a few days.

CLAIM OF PATRICK DELEHANTY.

Mr. CAMPBELL (Kent) asked, Whether the Government have ever received a claim for injuries sustained by one Patrick Delehanty, on the post office building which was recently erected in the town of Chatham, Ontario?

Also, whether they have considered such claim, and whether they intend to allow the claim or not?

Sir HECTOR LANGEVIN. Such a claim was received, and was referred to the Department of Justice for advice. The Department of Justice said that the Government were not liable, and of this Mr. Delehanty was informed.

MR. RUFUS STEVENSON.

Mr. MALLORY asked, Whether Rufus Stephenson is still in the employ of the Government? What are his duties? What is his salary? What travelling or other expenses (if any) are allowed him?

Mr. WHITE (Cardwell). Mr. Stephenson is in the employment of the Government as inspector of colonization companies. His salary is \$3,000 per annum. He is allowed the same travelling expenses as other employes of the Government in Manitoba and the North-West receive.

EXPENSES OF RETURNING OFFICERS.

Mr. McMULLEN asked, When the Government expect to pay the returning officers for their services during the recent election, and why the matter has been delayed so long?

Sir CHARLES TUPPER. Three-fourths of the accounts are now paid, and the remaining fifty will be paid within a few days.

Mr. LANDERKIN asked, Have the expenses of the late Dominion election in South Grey been paid yet? If not, why not?

Sir CHARLES TUPPER. Mr. McDougall, the Auditor General, informs me that these expenses will be paid tomorrow. I may take this opportunity of saying that, if any gentlemen are interested in this matter, if they will be good enough to call at the office of Mr. McDougall, the Auditor General, he will give them any information they may require.

RESIGNATION OF THE LIEUTENANT GOVERNOR OF QUEBEC.

Mr. RINFRET asked, Whether the Lieutenant Governor of the Province of Quebec has tendered his resignation, on the grounds of ill-health or for other reasons? If his resignation has been tendered, on the grounds of ill-health, have the Government offered him leave of absence? If his resignation has been tendered and accepted by the Government, has his successor been appointed? If so, who is he?

Sir JOHN A. MACDONALD. The Lieutenant Governor of the Province of Quebec has tendered his resignation, on the ground of ill health. The Lieutenant Governor has not asked for leave of absence, and it has not been offered to him. His resignation has not yet been accepted.

CHISHOLM'S DAM ON THE RIVER TRENT.

Mr. MALLORY asked, Have any applications been made by any person or persons to the Government, since the year 1884, for the privilege of placing "Bracket" boards on Chisholm's Dam, on the River Trent, so as to raise the water above said dam? If so, by whom, and when were such applications made? Was such privilege granted? If granted, how high were the Bracket boards to extend?

Sir HECTOR LANGEVIN. I may answer for my colleague, the Minister of Railways, and myself that there are no applications on record in our Departments for that purpose.

RECIPROCIITY TREATY WITH THE UNITED STATES.

Mr. MITCHELL asked, Whether the Government, with a view of obtaining an arrangement of a Reciprocity Treaty or a commercial trade arrangement with the United States, have received any propositions, either written or verbal, from the Government of the United States or any member thereof, or any other person connected with the said country, and if so, from whom have such proposition or propositions been received, and if so, what is the nature thereof; and have the Government of Canada, or anyone on their behalf, made any proposition or propositions to the said Government of the United States, or anyone on their behalf, and if so, what is the nature thereof?

Sir CHARLES TUPPER. Both the Imperial Government and the Government of Canada are doing all in their power to promote a friendly adjustment of the fisheries difficulty, and a reciprocal trade arrangement, a favorable reciprocal trade arrangement with the United States, but it would not be in the interests of the public service that anything more definite than that should be communicated at present.

PIERS IN PRINCE EDWARD ISLAND.

Mr. TROW, in the absence of Mr. WELSH, asked, Has the dilapidated condition of the piers at Vernon River and China Point, Prince Edward Island, been brought to the notice of the Minister of Public Works, and will the necessary repairs be at once ordered, so that these piers may be used for shipping purposes?

Sir HECTOR LANGEVIN. The dilapidated condition of the piers in question has been brought to the notice of the Department. It will require probably \$1,000 to repair the Vernon River pier. The state of the other is being enquired into.

TRENT VALLEY CANAL WORKS.

Mr. BARRON asked, Is it the intention of the Government to proceed this year with the construction of the works of the Trent Valley Canal? Does the Government intend this year to enter upon any fresh work not now under progress? And if so, at what point or points on the route of the canal?

Mr. POPE. It is the intention of the Government to complete, during this year, all the works that have been begun. It is also the intention of the Government, during the recess, to appoint a commission to examine and report upon the balance of the work that the hon. gentleman speaks of.

DREDGING IN PRINCE EDWARD ISLAND.

Mr. ROBERTSON (King's) asked, Is it the intention of the Government to send the Prince Edward Island dredge to operate in Murray harbor, or any of the harbors of King's County, during the present season?

Sir HECTOR LANGEVIN. The services of the dredge in Prince Edward Island will be required to complete the work at Tignish in Prince county. Therefore, the Department will not be in a position to send it to other places.

LOSS OF REGISTERED LETTERS MAILED AT BEAUHARNOIS.

Mr. HOLTON asked, Is the Government aware that a number of letters, including twelve or fifteen registered letters, mailed at the post office of Beauharnois, on or about March 2nd, 1886, never reached their destination? Has

an investigation into the loss of those letters been demanded, and if so, is it the intention of the Government to order such an enquiry?

Mr. McLELAN. The Government has been informed that a package of registered letters, mailed at Beauharnois on the 1st March, which should have reached Montreal on the morning of the 2nd, was lost, but no trace of it has yet been found. Every effort has been made to ascertain what has become of the package in question, but without success.

Mr. HOLTON. The latter part of my question remains unanswered. I asked if an investigation has been demanded into the loss of those letters, and if it is the intention of the Government to order such an enquiry.

Mr. McLELAN. I say that effort has been made, and is being continued, to ascertain what has become of the package in question, but without success, up to the present time.

Mr. HOLTON. I can hardly accept that as an answer to the question.

Sir JOHN A. MACDONALD. You must accept it.

Mr. HOLTON. I think I am entitled to a fuller answer to the question which I put. The latter part of the question is still unanswered. I ask if an investigation has been demanded, and if so, is it the intention of the Government to order such an enquiry. The Minister has not answered that part of the question.

Mr. McLELAN. I do not know that any special demand has been made, but the matter has been brought to the notice of the Department, and an investigation has been instituted, and has continued up to the present time, but without success.

ANNUAL DRILL OF THE 9TH BATTALION.

Mr. AMYOT (Translation) asked, Whether orders were given to the 9th Battalion, during the month of March last or about that time, to discontinue their annual drill? Had this battalion at that time received official sanction to carry on the said drill? Was any reason given to the said battalion for the said discontinuance; and has the battalion been informed of the motives or causes for this discontinuance? What were the causes which effected this discontinuance? Is such discontinuance an ordinary proceeding?

Sir ADOLPHE CARON. (Translation.) I have the honor to state that the battalion was to commence its annual drill on Monday the 28th of February. A question was raised as to the unsatisfactory state of the accounts between the battalion and the Militia Department, which accounts resulted from the campaign in the North-West. Consequently, it was deemed expedient to discontinue the annual drill until these accounts had been examined and settled. On the 27th of February orders were issued to discontinue the annual drill, until the accounts between the Department and the battalion had been examined and settled. The order for the discontinuance of the annual drill seems to have been transmitted on the 28th of February, but in consequence of a snow storm that order was delayed on the way for three or four days, and in the meantime the battalion commenced its annual drill. When once it was found that the order had been given for the drill to take place, and that drill in question had even commenced, the Minister of Militia at once gave instruction to allow that drill to continue and gave instructions to suspend the order prohibiting these annual drills.

Mr. AMYOT. (Translation). I asked, Mr. Speaker, whether any reason was given to the battalion for that discontinuance. I have had no answer to that part of my question.

Mr. HOLTON.

Sir ADOLPHE CARON. (Translation.) I could not say whether the reasons were communicated to the battalion, but they were communicated to the commander of the battalion.

REPORT OF GENERAL STRANGE.

Mr. AMYOT (Translation) asked, Whether General Strange, who commanded a portion of the Canadian army in the late North-West expedition, has made a report on the part taken therein by the 9th and 65th Battalions, whether as a special report or embodied in another? Has the said report or partial report been received by the Militia Department or any officers thereof, and by whom; has the same been published in the official reports, or one of the official reports, of the Department, and in which; if the same has not been published, what is the motive of the omission; and if not published, is it the intention to publish the same, and when?

Sir ADOLPHE CARON. (Translation.) The only written reports received from General Strange on the part taken in the North-West rebellion by the 9th and 65th Battalions have appeared in the general report which was published by the Militia Department on the suppression of the troubles in the North-West, and these reports from General Strange appear as Appendices D and A, pages 48 and 51 of the said report.

PROTECTION FROM CHOLERA.

Mr. AMYOT asked, Whether the Government propose to take any steps to protect the Dominion from the attacks of the cholera, which is, at the present moment, raging in South America, and what is the nature of these protective measures?

Mr. CARLING. It is the intention of the Government, by its quarantine service, to treat all vessels coming to ports of the Dominion from South America, on either the Pacific or the Atlantic side, as susceptible of introducing the disease of cholera, and to cause to be applied the most approved measures of disinfection, coupled with the detention of all vessels found to be infected.

HOMESTEADS WITHIN THE RAILWAY BELT.

Mr. MILLS, in the absence of Mr. BLAKE, asked, How many homesteads have been entered and remain uncancelled within the Canadian Pacific Railway Belt, up to 31st December last, between:—1. The first and second Principal Meridians; 2. The second and third; 3. The third and fourth; and 4. The fourth and fifth?

How many acres of their land grant have been finally accepted and taken over by the Canadian Pacific Railway Company, within the Canadian Pacific Railway Belt, between:—1. The first and second Principal Meridians; 2. The second and third; 3. The third and fourth; 4. The fourth and fifth; 5. In southern Manitoba, outside the Railway Belt; 6. Elsewhere outside the Railway Belt?

Mr. WHITE (Cardwell). In answer to these questions I may say that on notice being given, I at once asked the officials of the Department if they could give the information, and the answer I got is: "The information that is asked for will take some days to get ready as many registers have to be gone through. The compilation, however, is now being pushed forward." I would suggest to the hon. gentleman that, with the consent of the House, he allow these questions to stand as orders, and I will have the papers brought down at the earliest possible moment, giving the information.

SALARIES OF REVISING OFFICERS.

Mr. CHOQUETTE asked, Whether the salary of the revising officers has been fixed, and if so, what is the amount thereof? If not, when will the same be fixed, and what is to be the amount?

Mr. THOMPSON. The salaries of revising officers have not yet been fixed. I think I am able to say to the hon. gentleman that they will be fixed at a very early day.

QUEEN'S, N.B., ELECTION.

Mr. WELDON (St. John), moved:

That the second report of the Select Standing Committee on Privileges and Elections be not concurred in, but that it be resolved, That in view of the provisions of the Dominion Elections Act, Revised Statutes of Canada, chapter 8, and the duties of a returning officer as therein defined, and also in view of the facts elicited on the examination of Mr. John R. Dunn, the returning officer of the electoral district of the County of Queen's, N. B., at the last election for the said district, and it appearing that nominations were received, a poll granted and held, and that at the summing up of the votes George G. King had 1,191 votes and George F. Baird 1,130 votes, it was the duty of the said John R. Dunn, at the said election, to have declared and returned George G. King as the member elected for the said electoral district."

Mr. SPEAKER. If the hon. member for Queen's (Mr. Baird) has any explanation to offer, let the hon. gentleman give it now, and then withdraw during the debate on this question.

Mr. BAIRD. I do not know whether a further attack is intended upon the seat of the member for Queen's, or whether censures are intended to be made on the returning officer. I do not suppose this matters much, but I have some explanations which, perhaps, are pertinent to this question. Mention was made of my name in connection with the appointment of John R. Dunn as returning officer for the electoral district of the county of Queen's, and I may say, by way of explanation, that it is a fact that the sheriff of the county of Queen's was passed over at the last election, and that John R. Dunn was appointed returning officer. If there is any blame to be cast in the matter, that blame should fall on myself; the responsibilities are mine, and I am willing to bear them. In regard to that appointment, the explanation I would offer is this: After I had accepted the nomination of the Liberal-Conservative party of the county of Queen's to contest the late election with Mr. King, I went into the county to see what the chances would be of my election. I found there arrayed against me the two members of the Local Parliament, the sheriff of the county, the judge of probate and clerk of the peace, the registrar of deeds and wills, the warden of the municipality, in fact every local officer was there except registrar of probate. Taking these facts by themselves, no fault could be found. Those gentlemen had the same right I had in regard to the political views they held. They had a right to vote as they liked, and, perhaps, to work as they liked. But we go a step further. I then found that the electoral lists of the county had been revised under Liberal management. Complaints came to me from every section, that a large number of Conservatives had been left off the lists. Hon. members may ask me "how that was done?" It was explained to me in this way: That when the registrar of deeds, who acted as revising barrister's clerk, took up the old list in order to make up from it the new list, and found there a person whom he knew to be an avowed supporter of the Liberal-Conservative party, with whom it would be safe to tamper, his name was left off the list; and it is well known that persons living in the outside districts do not look after such matters; that farmers who have voted twenty or thirty years expect they will always be entitled to vote. I could not say much to that. Again, complaints that when young men, those who would give their votes for the first time, the

farmers' sons and tenants and persons under that qualification, had made application on the Conservative side and their notices and affidavits were received by the gentleman who acted as the revising barrister's clerk, if it was possible to find fault with them at a late day, such was done, and they were marked as bad and sent back. In many instances they made a second application with like results—they were sent back as bad. Some were not sent back until it was too late to renew their application, and this explains why a large number of Liberal-Conservative names were struck off. In answer to that, I could not say much. All I could say was that the matter should have been better looked after by the Conservatives, and they should have been smarter. They considered it was the duty of the officer to attend to that matter, and they stated that they applied to the judge and to his clerk, but could get no satisfaction. The matter goes a step further yet. I found that the parishes which give large majorities for Mr. King had been revised by the revising officer himself, that is, by the Hon. Judge Steadman, and that he had then deputised a person not having the legal qualification, not being a barrister of five years' standing, to attend to the revision of the lower parishes, generally called the Conservative parishes. Here was a serious difficulty to me. I knew very well that if I carried a majority from those Liberal-Conservative parishes, it would not avail me; I knew the lists were not legally revised, and that I could not avail myself in any way of such a majority. In my native parish a majority of ninety, and in other parishes of eighty or ninety, was given to me; still the legal effect was entirely worthless. Now, I do not for one moment insinuate that the honorable judge did this thing intentionally, I hope he did it inadvertently; and so far as Mr. King is concerned, I do not say that his hand was in it. I do not wish to say anything against him; I always met him as a gentleman and always treated him as a gentleman.

Mr. MILLS. No, no.

Sir JOHN A. MACDONALD. Shame!

Mr. BAIRD. I am free to say that in dealing with Mr. King I have always dealt with him as a gentleman, and always approached him as a gentleman. In trading transactions I have always found him possessed of honor and integrity becoming a gentleman, and when we dealt with each other, politically, we did so without any abuse, and the last time I saw Mr. King I parted with him in a friendly spirit, and that was since the declaration was made. Early in the contest I knew there was a difficulty before me. My first move was to see Mr. King; I talked with him; I told him there was a probability of a legal difficulty after the election. I proposed to him, or I asked him if he knew any way by which we could get over the difficulty. I told him I would be willing to enter into the contest, and whoever got the majority there the matter should end, and that there should not be any legal difficulty hereafter under our agreement, if one was made. Mr. King appeared conscious of his power and of my weakness. Although he talked friendly, still he said: "I cannot make any such arrangement; I am afraid my party would not stand by it. I have this to say, that there is no doubt if you are elected no stone will be left unturned to unseat you." I applied to him three times according to the tenor of that conversation, and at last I told him that if any way could be suggested up to the nomination, to let me know and I would be willing to fall in with it. But Mr. King gave me no answer to any of those proposals. Another difficulty arose before me. It was announced to me that the sheriff of the county, who was then expected to be returning officer, when he came to make the declaration would cast aside all the parishes not legally revised, and would declare upon the majority in the parishes revised by the

revising barrister. I heard of this difficulty, and then, for the first time, I made an application for a change of returning officer; and the answer that came to me was, in effect, that it was not advisable to pass by the sheriff who usually held that office. I communicated with my supporters in the county. I saw as many of them as I could, and they all appeared to be aware of the trap which was set for me, and they were of opinion that a claim should be made. I saw the Minister of Marine; I laid the case before him, and I asked him for some instructions, and he said if it was possible that it would be better to allow the sheriff to continue as the returning officer. I then said I would go and see the sheriff, although I had to drive a distance of about fifty miles; I will put the proposition to him squarely, and if I find that he intends to declare according to the returns from all the parishes, the sheriff may remain there. I drove those fifty miles, but found that the sheriff had left the shire town and would not return for a fortnight. Then, in further talk with my supporters, they urged me not to rely upon him, and I sent my unqualified request for a change in the returning officer. Now, if there is any blame in the matter, it should fall upon me and me alone; the Administration were not to blame; and I say there was no alternative for me—with these facts staring me in the face, knowing that my certain defeat had been determined upon—there was no alternative but to ask for a different returning officer. I could not be content that the sheriff, who was going on the stump against me, should act as returning officer. Now a brief explanation as to why Mr. John R. Dunn was appointed. It was not because he was a supporter of the Government, as has been insinuated; it was for a different purpose and from a different standpoint. It was because there was no man that stood higher in the esteem of the people of Queen's county than did John R. Dunn; it was because he was a member of one of the oldest and most respectable families in that county; it was because he was a graduate of a college and the principal and teacher of a grammar school—a young man whose character, up to that period, for truth and integrity, no man had dared to assail.

Some hon. MEMBERS. Hear, hear.

Mr. BAIRD. Some hon. gentlemen may laugh, but if there was a possibility for fault to be found with John R. Dunn, why has it not been found? Has there been anything left untouched which should be brought against him? and I say that up to the ruling, which did not please the Liberal party, no fault could be found, and none has ever been found with John R. Dunn. You have had that gentleman here before you in the high court of Parliament, and in the court of his own conscience; you have had him here where you could make the most searching investigation of his movements, and I would ask if there is one man within the sound of my voice who is prepared to say that he believes that John R. Dunn ruled as he did wilfully and maliciously? Is there one man here so harsh, unjust and ungenerous as to say, after that man has been before you, that he is the kind of man who could be lured by love of gain, or could be induced to barter away his honor and manhood for the paltry return which was attributed to him on this occasion? I think there is not one gentleman here who will undertake to say that he believes that he is that kind of a man.

Mr. MITCHELL. Oh, yes, there is.

Mr. BAIRD. I am aware that it has been advanced, as a matter of argument, that his ruling is wrong, that his ruling is a legal quibble, that it is not warranted by precedent or justified by law. Now, I cannot agree with the hon. gentlemen who advanced those arguments. I had learned to look upon it in a different light. I had learned to look upon it as a debatable question, as a question which was balanced in my favor in law, as a point which I had a right to take and avail myself of if I saw fit,

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well knowing the responsibilities and the burdens I was assuming in accepting that declaration, knowing very well that if I was wrong the strong arm of the law could set me right. That was my consideration and view of it while listening to the arguments of the learned counsel on the day of declaration. It is true I had not looked into the question thoroughly up to that period, for I left the county soon after election day; I had gone to my own place in St. John, and, as far as I was concerned, I was content with the result of the election. And, as the hon. member for St. John (Mr. Ellis) has seen fit to mention my meeting with Mr. King in St. John, it is true I met Mr. King and congratulated him on his success. It is true we were friendly and remained friendly, and talked with each other in a friendly manner. It is true that for more than a week nothing of this kind was ever spoken of, and I say it was not until the general disturbance, until the war of protests began to loom up, that I heard anything, or was called on by the people of Queen's county to come up and avail myself of this doubt. The hon. member undertook to say that I had stated in my speech at Gagetown that it was the party generally who urged. I did not say it was the party generally, but the party from Queen's County, that came to my office in large numbers. They showed me the havoc wrought upon them in the voters' list, and the different plans and stratagems used to defeat them, and they urged me to go back and take up the fight for them. They urged me, not in small, but in great numbers, and they are willing to-day to admit the responsibility of having done so. I say it was in answer to their call that I went. I felt that they had honored me in coming out of their own county and selecting me from St. John to run the election. It is true my political sympathies had clustered around the people there. They were the people of my earlier acquaintance; it was the land of my birth, and it is true my sense of justice was keenly alive to their demands, and all my energies were fully bent on seeing that they had their rights. These were the motives which actuated me; but not until late in the second week did I determine to go up, and it was more particularly in consequence of the announcement I saw in the different newspapers of the Liberal party, that in the county of Sunbury Mr. Wilmot was out, in consequence of some of his ballots having been numbered instead of being initialed—that it was a splendid thing that Mr. Barpee was in and that Mr. Wilmot was out. They came then anew to urge me and they said: "Are you going to stand by while they are taking every advantage over us; this is said to be a good legal advantage, and we call on you to come into the county and take up the battle for us again." I answered that I would come, and in pursuance of that promise I went amongst them. I heard the arguments adduced by the learned counsel before the returning officer; I listened carefully, and I believed that he had ruled honestly and conscientiously. Now, to go back to the point that I have digressed from. With reference to the ruling of the returning officer, I say I had looked upon it as a correct ruling, and I had reason to believe that it was correct, but I hoped that when the matter came here before Parliament, learned and able gentlemen would deal with it, and I thought that some additional light would be thrown on the subject and that my mind would be fixed one way or the other. I had thought before that it might come before the courts, so that we might have it determined, but when it was here before Parliament I was glad and willing to have it discussed; and when the hon. member for St. John (Mr. Weldon) broke in upon us with the case of the Queen against the Mayor of Bangor, and on the occasion of the first motion cited that judgment, one would almost suppose, from his manner that that was a fit case to determine all election questions. The Liberal press throughout the Dominion proclaimed that that was a case directly in

point, and that appeared to remain before the House as good law until it was torn to pieces by the hon. member for Pictou (Mr. Tupper), who showed that the decision in that case was given under an Act of an entirely different character from ours, an Act which provides that no objection shall be taken after the nomination, and also that the returning officer has no return to make, but is only to add up the columns and send the result to the mayor. What bearing has that on our case? What analogy is there between the two cases? Since that argument has been completely riddled by the hon. member for Pictou, we have never heard of that case since. I think all the cases brought forward establish that the returning officer is a judicial, as well as a ministerial, officer; that his judicial functions continue after the election down to declaration, as well as before the election. But hon. gentlemen opposite do not deal with the question from that standpoint. They deal with it as though there was no authority, no argument the other way. I thought that when this matter came to be dealt with by the leader of the Opposition, a still greater flood of light would be let in upon it. He stands so eminent in his profession that we had a right to expect that from him; and although I was aware that in listening to his speech I must stand under the rod of his criticism, still I was willing to take that risk. He usually does his work so well, that a person would be willing to listen to him if he had to bear the rod of his criticism by doing so. But he left that point as much untouched as anybody else, and we have still no light upon it. We find that Rogers, Bourinot, Firmatnger and May, and all other writers on the election law, admit that the powers of the returning officer have been very much extended from what they were, but it has not been clearly defined where they end, and as yet no particular ruling is to be found to show that they do not extend up to the last act of making the declaration. However, I think I am now in a position to say to these hon. gentlemen who have declaimed against me with such energy of expression, that they were not sincere in their arguments, but are working at this question merely for political capital. If they were sincere, why did they not bring this matter before the proper tribunal? They have evinced a strange disposition to try the case before any tribunal except the right one. They know that an election court is established where impartial justice can be expected to be dealt out. They know very well that if I am wrong there I shall be set right. If the case is without argument, if it is plain on one side and there is nothing on the other side, why on earth was the case not brought before the election court, and I hurled from this seat? We were told by the Liberal press, up to the last day and hour, that a petition was ready to be filed. I was glad to hear it, because I courted publicity in this matter. I would have been glad to meet them in the court, and challenged them to the courts, and even now I would waive the lapse of time, and would again challenge them to the courts to determine the question. The returning officer has been here, assisted by counsel, prepared to argue his justification and the correctness of his law. However, that question was not reached, and I do not know that it is necessary for me to continue the argument on that subject. I do not know that the House cares for the argument, or really wants it, at this time. As to what is intended with reference to the returning officer, I am not prepared to say. If he did wrong wilfully, he deserves punishment; no one can deny that. No one can deny that an officer who has been guilty of an abuse of the power vested in him deserves punishment, or if his conduct has been wilful and malicious; but it must be otherwise when it appears that such an official has fairly followed the light of his understanding and the dictates of his conscience and the best advice he could get. If such were not the case, if every judge or other person holding judicial functions were to be called on to answer

for his errors in judgment and to receive punishment for them from those whom they happened to displease, there would be many whose misfortunes we would be called upon to deplore. Punishment for errors in judgment is contrary to the whole spirit of the English law. This is no theory of mine, but the very language of English law. It is one of the first principles of British justice, and the protection afforded to those holding judicial offices extends from the highest to the lowest in the trusts of a Government. But we have not admitted, and we will never admit, that the returning officer was even wrong in law. That officer is the more justified in claiming that he was right when these honorable men, both here in Parliament and in New Brunswick, who declaim against his acts so loudly, who so broadly declare that it was an outrage on law, yet refuse to carry the matter before the courts. But another thing I wish to say to the hon. members of this House. I feel somewhat independent, and I feel a reasonable sense of pride in this matter. As yet I do not know what will be the determination of this House, but if I am retained in the seat I occupy, I am prepared to say that I am not yet satisfied. I am not content to leave these hon. gentlemen with one leg to stand upon; I am not content to leave one excuse behind. Mr. King has failed to file his protest; but it shall not be said that the matter is closed there. I am prepared to take one step further. I am prepared to say that as soon as the day arrives when the franchise list in the county of Queen's can be revised and made legal, I am prepared to hand in my resignation, and I am prepared to again fearlessly challenge the verdict of the constituency; and if the Liberal party of the county of Queen's is prepared to accept my resignation, I am ready to give it within an hour—

Mr. MITCHELL, Better send it in, that is the best plan.

Mr. BAIRD. And I will say to those hon. gentlemen who have been so active in this matter, that I would invite any of them to come down and take part in that election. I would be most happy to see there the trusted young leader of Prince Edward Island, who paid us a visit last summer, and read the death warrant of the corrupt Macdonald Government. Let him come again and explain why the execution did not take place in February last. I would be most happy to meet any of those hon. gentlemen; and when they speak of me as a robber, or usurper, or in any other terms they choose, I will speak of them as hon. gentlemen. Let the hon. member for Northumberland come with his pot of tar and feathers, which he talks so liberally about, and I will be prepared to receive him well. But one word more, for perhaps I am keeping too much of the time of the House. I know it has been the boast of the Liberal party and the Liberal press throughout the Dominion, that this seat will be made too hot for me to keep, that I should be met by the most withering scorn, and I have met plenty of their scorn, but as yet I have failed to wither, and if I know myself aright, I shall still stubbornly refuse to wither. Scorn, to be withering, must come from those whose political record is untarnished. If I were allowed to pass judgment on hon. gentlemen opposite as they do on me, I would be inclined to say there is not an hon. gentleman among them who has not violated some, and perhaps every section of the election law; and, as a party, I would say that the schemes and designs of hon. gentlemen opposite to get control of the reins of Government are such as would make a highwayman blush. What is wrong for me to do appears to be praiseworthy with them. There is not a man in their party in Queen's county who would not do what I have done, or who would not admit that they would take any advantage of me they could; and if hon. gentlemen opposite were sincere, they would say that they would avail themselves,

if they had the opportunity, of a like advantage, and their protests to the contrary is political hypocrisy. Again, it has been the effort of the Liberal press, ever since the difficulty began, to destroy my character in every part of the Dominion, more particularly in St. John. The hon. member for St. John (Mr. Ellis), in his paper, I am sorry to say, has brought recklessly from day to day charges and imputations that the meanest ingenuity alone could invent, and when his own invention failed all that could be borrowed from an equally partisan and hostile press he added to his stock. He has kept constantly before the public everything that could possibly belittle me, but I am bound to say neither he nor his friends have succeeded to any great extent as yet. Among the truthful things said against me is that I occupy a back seat, but I am not aware that that is any reflection on one's dignity as a member, for most new members take back seats. Again, they have said that I am of no use as a member of this House. Quite true; but if that be the case, I have the glorious satisfaction of knowing that I am in plenty of company of the same kind, and first among them I would hail the hon. member for St. John (Mr. Ellis). His usefulness has yet to be discovered, and I think if any of his deluded constituents would come up here, they would find what a splendid failure they have on their hands. The *St. John Globe*, the *Cape Ann Advertiser* and the *Portland Argus* have claimed that he is the most important man in the Maritime Provinces, and that he would soon set this Parliament straight on fishery and international questions; but, notwithstanding all their prophecies, if his constituents would come up here, they would find he is about as useless as I am. I am happy to say his strictures fall very lightly upon me. If I have sinned against a political opponent or against a single constituency—which I do not admit—I can say he has sinned against the whole nation, and that nation his own country. Disloyalty, separation and annexation has been the theme of his life. It has been his life-work to foment disloyalty in the hearts of the people; he has been constantly engaged in spreading the seeds of sedition and disaffection in the minds of a contended people, by enlarging existing evils and inventing ones that never did exist, through the medium of a mischievous press, and in this way he has kept himself before the public merely to satisfy his own selfish and vain-glorious ends. Side by side, working with him, has been the *Daily Telegraph*, of St. John, controlled by a broken-down and dissatisfied politician, who has had a standing call at political elections ever since I can recollect, who has run very vigorously up to nomination day, but who never dared to make his deposit of \$200, knowing well he could not carry a one-third vote in his native county. This gentleman can write very ably on the subject, but I am prepared to bid defiance to all these gentlemen. I can afford to trample on their opinions and to defy their ablest efforts. I do not ask them to desist. I urge them to go ahead, and I am positive they cannot deprive me of five votes in the county of Queen's. If the public were to believe what has been published against me, they would believe that my capacities for mischief are almost endless. They would believe that I have induced a returning officer to violate the sanctity of his oath and make false returns; that I have taken hold of this young man, who stood so well before the world, and led him from the path of rectitude into the broad highway of shame. This is the language of these gentlemen, but, according to them, another step had to be taken. Judge Steadman came down to attend to the work of counting me out and Mr. King in, and my attorney, by my order, obtained a writ of prohibition from the Supreme Court to stay the judge in making that recount. Then a new outburst came from the Liberal press. I had seized the Supreme Court by the throat; I had induced

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one of the judges to violate the solemnity of his oath; I had induced him to soil his judicial ermine and prostitute his high office for the sake of party. This was the very language used by the Liberal press; and when I called upon them to answer to the Supreme Court for their language, I was charged with interfering with the liberty of the press, the glorious liberty of the press. It was a glorious liberty, they claimed, to call our judges perjured villains. That is rather too much liberty, and I do not think they will keep that liberty long. Still, they may, and I may be wrong. Yet the matter cannot stop. Another step has to be taken. As Richard III said, "Crowns gained by blood must be by blood maintained." Another step has to be taken—the ballots have to be burnt. The papers announce that Baird has perpetrated the last act of political brigandage, and the ballots have been burnt. As to the member for the city and county of St. John (Mr. Weldon), I cast no reflection upon him; he is not a vindictive man; I have always found him a fair man and an eminent lawyer; but, when he mentioned the fact that the ballots were burned, though I could not contradict him, I knew as well as possible that every ballot and every paper would come to you as faithfully as the hand of man could return them. But it is all in keeping with their stories, and if they are false in part they are false in the whole. And now what is it? I have come here. The press announces that I have captured the Government, and that I hold this seat by the force of a party vote. In this matter I wish to speak plainly. When they intimate that I am the ward of the Government, that I am the *protégé* of the right hon. gentleman, the leader of this House, I say it is false; I say that up to this moment I have never spoken one word to the right hon. the leader of this House on this question, or exchanged a single line with him in reference to it. I am proud that I can say this, and that I can say it at this particular time. As to being the ward of the Government, or being under their protection, I do not admit that. When I claim this seat, I claim it as my right—I demand it as my legal right. I do not ask to hold it by force of a party vote. I do not wish to hold it as a matter of political favor. I ask it as my right, as my legal right, as my right under the laws of the land as they now stand. I say I am entitled to it in that sense; that the ruling of the returning officer is in that direction, and is unrevised; and those returns which have been sent to you show the same thing, that the matter has been fairly investigated, that it has been successfully contended that Parliament has long since surrendered to the courts the right to try controverted elections and all questions in relation to controverted elections. I say that is established not only by the positive language of our statutes, but by precedents under other statutes. When I claim the seat, I claim it as my right; I do not claim it as a matter of political protection. I do not wish it to be understood that I am getting this protection; and, if there is a ruling in my favor, it will be as the law directs. That it is the very conclusion that the committee of this House were, I may say, forced to take, after spending two or three days in hunting for precedents, and examining carefully into the law bearing upon the matter, they were driven irresistibly to the conclusion that Parliament has not the right to deal with this matter, has not the right to unseat me and to place Mr. King here, to deprive the constituency of Queen's of any privileges they would enjoy had he brought the matter before an election court. It is in that respect that I ask it. I freely admit that you have the power, but I deny that you have the right to unseat me. Still, it is not for me to dictate, it is not for me to say. The prerogative, the high prerogative, rests with this House. Theirs is the right to determine, and theirs is the responsibility of that determination. It is for them to command and for me to obey; and if in the exercise of their discretion, if in the

exercise of their wisdom, they should determine adversely to me, if they should determine that I should leave this seat, I am prepared to bow to that decision. I can then return to the people of Queen's county and say, I have fought your battle as far as I am able, I have done my best, and I return to you; and I believe they would receive me firmly believing that there was not a stain of dishonor in a single step in the course which I have taken. But I trust a wiser and better judgment will prevail. However, it is not for me to say. In either event I am content. I thank the House, through you, Mr. Speaker, for the kind attention they have given me and for the freedom from interruption which I have enjoyed; and, as you now take this matter under your consideration, I will retire from the seat.

Mr. THOMPSON. As the hon. member for St. John (Mr. Weldon) said in making his motion yesterday, this subject has been so often discussed, both in the House and in the Committee on Privileges and Elections, where a great many members of the House were present, that I am sure the House will hardly bear with any tedious discussion of it this afternoon. I shall, therefore, in making the suggestion I desire to make at the close of a few remarks which I offer to-day, refrain as much as possible from going over the ground which was either gone over in the debate when the matter first came up on the motion of one of the other hon. members for St. John, or the ground which was so fully discussed at the various meetings of the committee. I take it that the resolution which is offered this afternoon, although it does not expressly say that the House is to proceed to the seating of Mr. King, is a step in that direction, and a step in disregard of the decision which the Committee on Privileges and Elections has recommended this House to adopt. If, notwithstanding all that has been said with regard to this question on previous debates, I refer at all to the line of argument that was then presented from this side of the House, it is not by way of repeating or even insisting upon what was then urged, but merely by way of reminding members of the line of argument which was used. It was well stated, both in that debate and in the discussion which took place before the committee that, during the early period of parliamentary history, the power of trying election petitions was repeatedly exercised by the House of Commons in England. It was shown that on every question of that kind which came before the Commons of England a decision was arrived at by a strictly party vote; and so fully was it recognised, in the disposition of election cases by the House, as being a purely party vote that, on one occasion, a Ministry went out of office because it had failed to carry the vote of the House in the disposition of a controverted election. At a subsequent time, recognising the injustice of that system, the Grenville form of procedure was adopted. Under that it was necessary that a petition should be presented, that it should be accompanied by security, and that a committee, whose decision should be final, should be struck by ballot, that their report should be final, without a vote of the House being taken, and that they should be sworn. Subsequently, some sixteen or seventeen years ago, the legislation was adopted in England by which that procedure was abolished, and the election petition was to be presented to the courts. I showed on a former occasion that we have adopted that statute, we adopted it in 1874. From that time forward, as I then stated to the House—and it has not been controverted since—from the hour when the Parliament of Great Britain adopted the mode of trying controverted elections in the courts of the country, and from the hour that that procedure was adopted in Canada, there has not been a single instance in the records of either Parliament, of an election return having been disturbed, or a contested election having been tried in the House in Great Britain or in Canada. The simple absence of

a precedent in favor of the course which the House has been asked to adopt by the hon. member for St. John (Mr. Weldon), is most significant and striking as to the impropriety of our dealing with the question here. On one occasion, when this matter was before the House, we were asked: "Where has it been found, in the record of Parliament, that a minority candidate had been returned?" and I replied that we were not to seek in the record of the Imperial Parliament for any such question being raised or discussed. If we look in the records of the courts of the country, we will find how such questions have been raised, and how they have been disposed of. But, to the credit of Parliament, it must be said that, from the adoption of that procedure down to the present time, the records of Parliament are a blank, not only as to any action having been taken on any such petition, on any such complaint, on any such return, but as to any attempt being made to invite Parliament, either in Great Britain or here, to deal with any such question; but, as said on a former occasion, both Houses have preserved the undoubted right to deal with questions relating to the disqualification of its members. The disqualification to which I refer is that which attaches to a man who is not entitled to be elected to Parliament, or if he has been elected to Parliament, has forfeited his seat by the acceptance of an office. The hon. member for Bothwell (Mr. Mills) replied, on a former occasion, to that argument by saying that the greatest qualification that a man can have is the majority of his constituents, and he seemed to think that he was adding something to the argument, instead of making a play upon words and confusing the argument. The question of title to the seat, of course, depends on obtaining a majority of the electors. The question of personal disqualification, as distinct from the question of title to the seat derived from the majority of the electors, is the only one which Parliament has reserved for its decision, and the only one with which Parliament has ever dealt. When this question was before us on the previous occasion, I referred to the fact that a person had been returned to the Imperial Parliament after he had been convicted of a crime, the sentence for which he was then undergoing, and being then practically dead, civilly, he was declared incapable of occupying a seat in the British Parliament. Notwithstanding the declaration that he was civilly dead and incapable of being elected to Parliament, his constituents went on and elected him again. There was the element of notoriety; every man in that constituency who cast a vote for him knew, not only that he was disqualified—because he was then in prison under a life sentence, or under a very long sentence for felony—knew that Parliament had declared the candidate to be disqualified. The question came up before the House of Commons again. Was that a plain case? Was it a flagrant case of disqualification? Was it not a plain case in which the House, if ever it intended to act in disturbing an election return by withdrawing these matters from the court and seating a man who had not been seated by the returning officer—was it not a case in which the House would have put out its hand and corrected the return, and seated the person who had been the only qualified candidate in that election? But the House did nothing of the kind. The House simply reaffirmed the decision it had come to on a previous occasion, and again declared that the person returned was disqualified, and then waited the action of the court, and it was only by the action of a court of law that the candidate, the only candidate qualified to be elected and to be returned, was seated in the English House of Commons. We had a case, as was pointed out at the close of that debate by the hon. member for Victoria, N.S. (Mr. Macdonald), in which a similar question was raised in this House, a question very closely analogous to this, a question which arose in my own Province,

and it was undoubtedly a case of a minority candidate having been returned to this House. It was not a case in which the returning officer presumed to exercise judicial functions, as this returning officer has done, and has declared that he felt himself bound to do, whether he was right or wrong, in respect to the qualification of Mr. King. It was a case in which the returning officer chose to throw out, uncounted, the returns of some of the polling places, because if he did count them, in pursuance of his oath of office, he would have had to make a return directly opposite to that which he made. That returning officer, appointed under very peculiar circumstances, chose to return a minority candidate to this House, and when there was an attempt to make the returning officer answerable at the Bar of the House, as was proposed to be done the other night, the answer which the leader of the Opposition, then the leader of the House, made, was this, as read by my hon. friend from the county of Victoria, N.S. (Mr. Macdonald):

"He would be very sorry to believe that the House had been deprived by the position of the Controverted Elections Act of its power over returning officers, of its power to investigate complaints made against them, and to punish them for improper conduct, but when Parliament transferred the trial of election petitions to the judges, and expressly provided that the conduct of returning officers might be complained of, and that they might be made respondents to petitions, Parliament thereby expressed a preference for that mode of investigation, or, at any rate, a petitioner could adopt that course. Under those circumstances he did not think it would be proper to ask the House to enter into an investigation of the conduct of that returning officer, pending the election trial. The appointment of the returning officer was a different matter."

In the only two cases which can be cited since the adoption of that procedure, by which these matters have been sent to the courts of the country, the one in England and the other here, we find in the English case, that the English House has distinctly declared that the person returned could not take his seat, and when the elements all existed for seating the only candidate entitled to be returned, the House stayed its hand and waited until the decree of the election court was pronounced; and in this country when this question was raised in 1874, when the leader of the present Opposition was a member of the then Government, the House declined even to call the returning officer to the Bar to answer for his violation of the Election Act in returning the minority candidate, and refusing to count the ballots of the electors which were in his hands. Now, the hon. member for St. John (Mr. Weldon) has very properly stated that this case has excited a great deal of public interest, and is one on which the press of the country has made very strong statements. The aspect of the case down to the present moment has been simply this: that hon. gentlemen on this side of the House have contented themselves with the assertion of what they conceive to be correct principles on the point of constitutional law as regards the rights and privileges of this House. On the other side hon. gentlemen have gone into the merits of the case as they understand them. I think it was well there was no attempt to mix the argument which has been made on this side against the interference of Parliament in the trial of controverted elections with the merits of this particular case; and whether it be popular or unpopular now, and whether the course taken by the majority of this House in declining to interfere in election trials after the adoption of that salutary Act by which such trials are left to the courts of the country, is deemed popular or not, I am still of the opinion that it is better for the country, better for the electors and better for the credit of this House that this matter should be left to the tribunals, that every case should be left to the tribunals which have jurisdiction and which alone have the procedure to despatch business of this kind in a way that will command public confidence. The argument made by hon. gentlemen opposite, and it was specially urged in the committee, was that every case was to be decided on its own merits; that

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there might be a case of very doubtful character presented to Parliament, and in a doubtful case we should not interfere; but in a flagrant case we ought to interfere, and that this was a flagrant case. Shall we adopt that rule and act on that principle, that it is for the majority in every case to take up a case of controverted election and to reverse the return and to seat the member whom the returning officer has not seated, and to vote that it is a flagrant case, and that there was no doubt about it? We do not advance the argument a step by saying that in a plain case we will act and in a doubtful case we will not act, because we are placing the seats of the minority still in the hands of the majority, and we have only to vote, first, that it is a plain case, and, then, that we ought to violently seize the authority to do what the majority thinks is right in the matter, notwithstanding that for nearly half a century these matters have been relegated to other tribunals that are supposed to be impartial, first to the committees of the House and afterwards to the judges of the land. I need not remind the House at this stage of what was said at its Bar; that at this moment the questions connected with the recount and prohibition of recount are being considered by the Supreme Court of New Brunswick; and yet we are undertaking to deal with this question, to say there shall be no recount, for which Mr. King has applied—Mr. King understanding his privileges and rights, and advised quite as well as he can be advised by the majority of votes of this House. He has gone to the courts of the country, he has chosen his procedure there, and while we propose to take Mr. King by the hand and place him in the seat, the judges are deliberating whether they will give him the relief he asks under the authority of the law as we understand it, and as he seems to understand it. But yesterday an addition was made to the rule which hon. gentlemen opposite laid down before the committee. It was said yesterday, not only that we shall interfere in a plain case, but that we shall interfere if the individual supposed to be aggrieved has not money enough to go into the courts of the country, or does not desire to spend the money necessary. For I understand the only reason put forward by the hon. member for St. John (Mr. Weldon) when he brought forward his motion, why the time had been allowed to elapse for entering a petition was that the gentleman who claimed the seat either did not choose to spend the money, or did not set sufficient value on the seat to undergo the inconvenient litigation which is necessary to obtain it, if he is well advised that the seat is rightly his. So that, according to the doctrine of hon. gentlemen opposite, the majority is, in the first instance, to vote that it is a plain case, and having done so, we are next to deliberate whether the individual aggrieved has money enough to contest the seat; and if he has money, whether he chooses to spend it in litigation or not. If having the money, he does not choose to spend it in litigation, thinking the litigation in the courts too expensive or too inconvenient, it is a reason why this House should seat him without incurring the inconvenience and expense of litigation and without the risk of a contest in a court of law. Hereafter if this doctrine be adopted, if any man claims to be seated and that the return be amended, will he be such a fool as to enter into litigation in the courts when he can get a member of this House to rise and move that he be seated, because the procedure of going to the tribunal we have appointed to try these questions is both inconvenient and expensive? The matter was referred, as the House is well aware, to the Committee on Privileges and Elections. After I made the motion that it should be so referred, a good deal of criticism took place, which I had not the opportunity of answering at that time. The very singular argument was advanced that inasmuch as I had contended that the House ought not to deal with this question, I was entirely inconsistent in moving that the question be referred to a committee of the House. The hon. gentlemen inside this House who presented that

criticism are well aware of the relation which the Committee on Privileges and Elections bears to this House. It is a committee that advises the House as to the procedure which ought to be adopted in relation to questions of this kind, and in moving that it be referred to that committee I felt I had only to show that it was a case wherein the law and precedents were not perfectly plain in favor of the motion made by the hon. member for St. John (Mr. Skinner) in order to convince the House that, at least, it ought to stay its hand until it had consulted the Committee on Privileges and Elections. That committee stands in relation to the House just as a man's counsel stands in relation to him, and the House consults its committee on all questions in relation to which law and precedent are not perfectly plain, and, therefore, in urging the House the other day that this was a case that ought to go to the committee and not be decided by a majority vote, I was simply urging that the case was not so plain that we ought to deal with it without the advice of that committee, which was so competent to deal with it. That committee has dealt with that subject. It has appointed a sub-committee to search for precedents. I need not say what those precedents are. From the time when the present system of disposing of controverted elections was adopted, the committee have not reported a single precedent for the interference of Parliament in any case of this kind in either House. But the committee, on the contrary, have come to the conclusion :

"That the question raised as to the holding of the said returning officer as respects the candidature of the said George G. King is one cognisable by the Supreme Court in the Province of New Brunswick under the provisions of the Contested Election Act, and that no objection has been made as to the qualification or eligibility of the said George F. Baird to sit in the House of Commons if he be duly elected for the said electoral district.

"Resolved, That in the opinion of the committee the House ought not to declare that the said George F. Baird is not entitled to sit in the said House, but should leave the case to be disposed of under the provisions of the Controverted Elections Act, it being the intention, spirit and policy of Parliament that all questions as to the validity of the election of members to the House of Commons should be decided by the ordinary legal tribunals of the country instead of by the House of Commons."

It will be perceived by the language of that report that the committee have adopted almost the words of the hon. member for West Durham (Mr. Blake) in his speech on a motion to have the returning officer of the county of Victoria brought to the Bar, which were :

"But when Parliament transferred the trial of election petitions to the judge, and expressly provided that the conduct of returning officers might be complained of, and they might be made respondents to petitions, Parliament thereby expressed a preference for that mode of investigation, or, at any rate, a petitioner could adopt that course. Under those circumstances he did not think it would be proper to ask the House to enter into an investigation of the conduct of that returning officer pending the election trial."

I suppose it was expected by all the members of this House when the question was before us at an earlier day that the right of Mr. King to this seat, so strongly asserted by his friends on the Opposition side of the House, would have been made the subject of a petition to the court. The House will remember that, when it came up, the date at which the time for petitioning would expire was somewhat remote. The time for filing an election petition expired, I think, on the 9th of May. The question was discussed in the House on the 28th of April, and I am sure that the line of argument which was adopted, and the large vote which was recorded, gave ample information to everybody concerned that the course of leaving this matter to the courts would be insisted on as this case proceeded. But, Sir, on the 6th of May, more than three days before the expiration of the time for presenting an election petition, the report of the Committee on Privileges and Elections was presented to this House, so that there was a most distinct and emphatic notice to everybody concerned that the person claiming the seat would be left to his remedy by election petition. Notwithstanding that, for the reason which was given by the

hon. member for St. John (Mr. Weldon), that Mr. King considers that the procedure which has been deliberately adopted by the statute is too inconvenient and expensive, the time for petition has been allowed to go by. I submit that this is not a sufficient reason why Parliament—

Mr. WELDON (St. John). I said more; I said that he felt that it was not incumbent on him to do what it was the duty of this House to do.

Mr. THOMPSON. That is simply saying that Mr. King takes the same view as the hon. member for St. John, and thinks that he ought to have the seat conferred upon him without establishing his right to it in the tribunals of the country, by which the statute law of the country says that right shall be determined. For my part I regret that the time has been allowed to go by within which this question could be submitted to the courts. It is not the fault of the majority of this House that such has been the case, and I am sure that the House has heard with satisfaction the statement of the hon. member for Queen's (Mr. Baird) this afternoon, that he will be prepared to place his resignation in the hands of the Speaker, in order that Mr. King shall not be deprived of the right to an appeal to that constituency again, if the House should, in its pleasure, think proper to pass the Bill which is now before it, to remove the technical question as to the validity of the lists on which the election was run. Entertaining these views, and still holding the opinions which I expressed on a former occasion, I venture to move that all the words after "that" in the motion be omitted, and the following words substituted :—

"The House adopts the report of the Select Standing Committee on Privileges and Elections on the case of the election for Queen's county, N.B."

Mr. DAVIES. The House has had the advantage this afternoon of hearing the case of the sitting member for Queen's (Mr. Baird) presented from two different standpoints, one by the sitting member himself, wherein he entered into an argument to prove, on the merits of the case, that the conclusion of the House should be on his side, and in which, after arguing the case on the merits, he implicitly submitted to and acknowledged the full jurisdiction of this House, and stated that he was ready to abide by such vote as the House might give. We had, then, the argument of the Minister of Justice who, more astute than the sitting member for Queen's county (Mr. Baird), knowing that the case could not be defended on its merits, feeling that he could not stoop to defend it on its merits, ignored that branch of the case altogether, and asked the House to reject the voice and vote of the people of Queen's county on the ground that it had no jurisdiction in the matter at all. The hon. gentleman confined his argument entirely to that branch of the case, and before I sit down I hope to say a few words in reply. I would like, however, first to say one or two things in reply to the statements made by the sitting member for Queen's (Mr. Baird). That gentleman stated that he was induced to become a party to proceedings which, if I were not in the House, I would describe as disreputable, because he heard that some proceedings were about to be taken by somebody else in the adjoining county. He acknowledged that he felt, before he became a party to these proceedings, that the people had in open election declared by a majority, which has been unquestioned and is still unquestionable, their preference that the late member, Mr. King, should again represent them in Parliament. He felt before the election took place that he had no hope of defeating what he expected to be the verdict of the people; but looking all about him and feeling that he had no confidence in the sheriff and but little confidence in the people, he determined, if possible, to get a returning officer to do his work for him. He said: I looked around the county, and I found a gentleman who possesses a family name which will surround him with a certain degree of reputa-

tion. His parents before him—and I am willing to accept his statement—were very respectable people; in fact I gathered from him that blue blood flows through the veins of this gentleman. He holds a high position in the county, and, therefore, he says he selected him to do his work, and now he has done that work; Parliament has summoned him before them and not having punished him the hon. gentleman takes it that he goes home with a clear character. Well, if that is the hon. gentleman's deduction from the evidence given before the House the other day, I am sorry for it. He argues that Dunn did rightly, that he had judicial powers down to the moment of sending the return to Parliament—and with that view of the case I will deal later on—and then the hon. gentleman very heroically challenges Mr. King to meet him in court and discuss the matter before the judges. He says: I will sit here at a salary of some \$1,200 for the Session; you, Mr. King, must put up \$1,000 in court, you must abide by the chances of technical objections, you must forfeit your seat in Parliament for this Session, you must stand the chances of appeals from court to court while I will fight you at the public expense, because I shall be receiving money as a member of Parliament which will enable me to defend the action. This is the heroic challenge he throws out. He may well do that. He has got that which the electors did not elect him to have; he is sitting in this House not having received the majority of the votes of the electors; the gentleman who has received that is outside. Now, the hon. gentleman says, I am in possession; I am receiving \$1,200 a year with which I can go on and fight the matter in the courts if my opponent dares to go there; and he claims that his action is a heroic one. I had hoped, when I saw the hon. gentleman rise in the House to-day, that he was going not only to place his resignation in your hands, but ask the House and his leader to do that small measure of justice that ought to have been done before, and put the gentleman who is entitled to the seat in his right place in this House. He has indulged in prophecies and boastings as to what he is going to do if the time comes for him to resign. I did not understand him, as the hon. Minister of Justice says, to pledge himself to any time when he would resign. I remember, in the Prince Edward Island case, that the gentleman who got himself returned by the sheriff to a seat in this House, although he polled a minority of the votes, appealed to his friends to confirm the return of the sheriff. He was successful in his appeal to some of the members of that House, because he had promised them privately that when he was confirmed he would resign. But it is known to everybody in this House that, after the confirmation of the sheriff's act was passed, he remained here during the whole four Sessions of Parliament and never resigned at all; and I very much fear that the precedent which has been set in that case will be followed by the gentleman who at present sits for Queen's, if the House are foolish enough to confirm him in his seat. Now, as I stated, there are two questions before the House. One is, whether Parliament has a right to deal with the case at all; and the other is, whether, if it has the right to deal with it, the merits of the case are on the side of the sitting member or on the side of Mr. George King. The Minister of Justice takes the ground that no precedent for our action can be found in either the Imperial Parliament or the Parliament of Canada. I take distinct issue with him on that point. I say there are numerous precedents. I say there is a long, unbroken series of precedents from the year 1832 down to the present time, in which Parliament has asserted successfully its jurisdiction in matters exactly similar to the present case; and these precedents govern this case. The hon. gentleman says no precedent can be found in England for Parliament interfering where a minority candidate has been returned by the returning officer, and seating the other candidate. He knows very well that no precedents exist for the last 100 years, where

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any returning officer has been found so false to his duty and so false to his oath as to have returned the minority candidate to Parliament. That fact has been reported to this House in the report of the Election Committee which he desires this House to confirm. In that report the committee say that they have been unable to find any case during the long interval of the last 100 years where the minority candidate was returned to Parliament. That being the case, the hon. Minister of Justice could very easily declare that he could find no precedent where the minority candidate was ousted. How could the precedent occur? The minority candidate was not there to oust. But if he had been there, no one who follows the precedents and practices of the English House of Parliament can doubt for a moment that that Parliament would rise to a sense of its own dignity and assert its privileges by ousting the intruder without any delay. Sir, I contend, as a matter of law, that the rights which this House can exercise respecting the election of its members have not been in any degree minimised by the passage of the Controverted Elections Act. I state that as a clear principle of constitutional law, and I think I have the authority, not only of the leader of the Opposition, but of the leader of the Government, for that position—that the same rights which this House retained to itself when in former days it relegated the trial of election petitions to the Election Committees of the House, these same rights the House continues to retain after it has relegated the trial of election petitions to the judges of the land. There has been no change. Almost the same words which were used in the old Controverted Elections Act, for referring the trial of controverted elections to the Election Committees of the House, are used now in the Controverted Elections Act; and the hon. gentleman knows well that the principle is this: that while the House will not entertain any petition questioning the return of a member, having relegated to the courts of the land the right to receive and determine upon such petitions, at the same time the House has never failed, of its own motion and in its own right, when the facts are brought before it, to consider all the facts set forth in the return of a returning officer; and if it believes he has returned the wrong man, to make him amend his return accordingly. Why, Sir, if we take up the precedents cited in the report of the subcommittee to which this case was referred, we find that away back, in 1848, the House commenced to exercise its rights in this regard. We find in the Beauharnois case and the Kent case, before the Act of 1851 was passed, the House exercised those rights. In the Beauharnois case, which is almost precisely like the present one, it declared that the majority candidate should be returned, and it directed that the return should be amended, and it was amended accordingly. The Kent case was a similar case, and the House made a similar declaration. Then, we have the Canadian Statute of 1851, which declared that all election petitions received by either House should be referred to the General Committee on Elections, for the purpose of choosing select committees to try said petitions; that the House should refer the petitions in each case to the said committee so appointed and sworn; and that they should there try their merits, and determine whether the sitting members, or any or what other person were duly returned or elected, or whether the election was void. In other words, that statute conferred on the Select Committee on Elections the same powers which we afterwards conferred on the judges of the land, under the Controverted Elections Act. That is a position of law that the Minister of Justice cannot controvert. If we had power before the Controverted Elections Act was passed, to consider and determine on cases of this kind, we have that power now, because we did not by that Act divest ourselves of any powers we had previously. We only conferred on the courts of the land those powers that

we previously conferred on the Election Committee. What are the precedents since 1851? We have a long line of precedents where the House has uniformly declared its right, and exercised its right, of passing upon the returns of members of this House, and has declared whether the majority candidate or the minority candidate should be placed in the seat. I think in nearly all the cases—certainly in all of them but one—the House did exercise that right. We have the Gaspé case, the Bagot case, the Lennox and Addington case, and the Essex case, with which hon. members are acquainted, and the Muskoka case. It is true there is the West Peterborough case, in which the decision of the House was in direct opposition to that in the Muskoka case. That is the only one in the long line of cases from 1851. Then we have the King's county election case: and in that case what did the House do? The House determined that it had a right to pass upon the special returns made by the returning officer. The returning officer returned two men as elected. We can see whether this House retained to itself the power to determine which of the two returned should remain as a member, or passed that power over to the courts of the land. The hon. the leader of the Government, and I think nearly every supporter of the Government, declared this House still retained the power, and they acted on that declaration by voting that the minority candidate should come here. They may have been right or wrong in the conclusion at which they arrived, but all that I say is that they asserted the jurisdiction of this House in the matter. In England what do we find? The hon. gentleman would lead this House to believe that it was only in cases of disqualification, arising from personal disqualification on the part of a candidate, that the House of Commons in England had ever attempted to act, but he knows that the House of Commons in England have not stopped there. He knows they have not stopped in the case of those who have been charged with treason and have been convicted of crime. In the Sydney Waterlow case they went one step further, and declared that a person who was disqualified by reason of having an interest in a public contract was disqualified from sitting in the House, and they stated that the Parliament of England had a right so to declare and to oust him from the House. That is a case in point. The hon. gentleman cited the Victoria case, which he evidently thought as a case of authority, and I think I am not going too far when I say he unjustly declared that the leader of the Opposition had used language in favor of the proposition he was submitting to this House. I say not only did the present leader of the Opposition, who was then Minister of Justice, not use such language, but he used language the very opposite. If the hon. gentleman had read a little further in that speech, he would have found that the leader of the Opposition carefully and in chosen language declared his opinion that the House had reserved to itself the powers we say it has reserved, and ask it to exercise. In the Victoria case, an election petition was then pending in the courts of law. The court had cognisance and had taken charge of the case. A petition was then presented, a concurrent petition, by some of the electors to this House, to ask it to interfere at the very time the courts of the land were determining upon the case.

Mr. THOMPSON. No, that was another enquiry altogether.

Mr. DAVIES. Not at all; I am stating the facts.

Mr. THOMPSON. The speech that I quoted from was the speech of the hon. member for West Durham made when it was proposed to arraign the returning officer, and not a speech made in any debate which occurred on the petition.

Mr. DAVIES. The speech which the hon. member quoted from I had in my hand when he quoted from it. It

was the speech delivered 20th March, 1875, on a question of privilege. The hon. member for West Durham proposed to call the attention of the House to a question of privilege arising out of the petition which it became his duty to present to the House, and which was then printed. That was a petition from certain electors of the county of Victoria asking this House to interfere in the matter of that election, and to interfere with respect to the action of the returning officer.

Mr. McCARTHY. No.

Mr. DAVIES. The hon. gentleman had better read what my hon. friend for West Durham said, and he will see I am giving the correct version. The hon. member for West Durham said:

"That petition being forwarded to him, he believed it to be a duty incumbent upon him as a member of Parliament, to give the petitioners the opportunity of stating their grievances, or alleged grievances, by presenting the petition to the House. Of the accuracy of the facts therein stated, he had no further knowledge than he drew from the facts that those signatures to the petition were appended by parties, and the petition came to him from a source which was a sufficient guarantee for the genuineness of the signatures and the respectability of the names. He desired to call the attention of the House to the subjects of which the petition complained, and the course which it appeared to be proper to invite the House to take in regard to it. The petition complained of certain matters in connection with the last election for the county of Victoria. It might be divided into two parts—one with respect to the appointment of the returning officer, and the other with respect to the conduct of the returning officer in the execution of his duty."

That is just exactly what I stated.

Mr. McCARTHY. No.

Mr. DAVIES. The returning officer.

Mr. McCARTHY. Yes.

Mr. DAVIES. The returning officer and the return he made to the House; the complaint that he made an improper return:

"He was informed that the petition was now pending in the proper court for the trial of controverted elections for the county of Victoria, and in that petition of course it was competent to the petitioners to prefer any complaint they might have as to improper conduct on the part of the returning officer relative to the merits of the petition."

So we see the hon. member for West Durham at that time contended, and his contention was not controverted, that the matter of the petition which came before this House was cognisable by the court of New Brunswick where the election petition had been filed. And what did he hold? He held that, under those circumstances, it would not be prudent for this House to take and decide upon a matter which was cognisable, on a proper election petition, by the courts of the land. He went on to say that while he could not invite the House to deal with the petition under these circumstances:

"He would be very sorry to believe that the House had been deprived, by the position of the Controverted Elections Act, of its power over returning officers and deputy returning officers—of its power to investigate complaints made against them and to punish them for improper conduct. But when Parliament transferred the trial of election petitions to the judges, and expressly provided that the conduct of returning officers might be complained of, and they might be made respondents to petitions, Parliament thereby expressed the preference for that mode of investigation, or, at any rate, a petitioner could adopt that course. Under those circumstances, he did not think it would be proper to ask the House to enter into an investigation of the conduct of that returning officer, pending the election trial."

He said, therefore, the courts of the land have cognisance, have jurisdiction over the matter and they are exercising it now. The same parties apply to us to exercise a jurisdiction which, he says, I do not doubt we possess, but as Parliament has already expressed preference for that mode of investigation before the judges, or, at any rate, has given the petitioner power to take that course, and as that course has been adopted, I will not ask the House to interfere. What did the right hon. the leader of the Government say then? Did the Minister of Justice quote that passage from

the speech? Did he intend to give any fair statement of the constitutional principle as laid down by the hon. member for West Durham? He not only did not do so, but he used language calculated to convey to the House an impression directly opposite. What did the leader of the Government who was then leading the Opposition say as to the rights and powers of this House to interfere in matters of this kind? He said:

"He was glad the hon. member did not propose to ask the House to consider the points raised in the petition when the election case was before another tribunal; at the same time it was not to be supposed that the House had abandoned its rights to control, censure, and, if need be, punish, returning and deputy returning officers."

The only reason he asked this House to stay its hands was the reason I have just read, that, at that moment, the matter was before the courts of the land on a petition filed by one of the electors. So I think we will see that, so far as precedent is concerned, so far as the English precedents are concerned, they are in favor of the position we take. Now, what do the text-writers say on this point? I will quote to the House an authority which is generally received with some respect, May, on Parliamentary Practice, in which he gives his views of the position in which Parliament stood before the passage of the Controverted Elections Act and the position in which it stood subsequently to the passage of the Act:

"A few words will suffice to explain the proceedings of the House, so far as its judicature is still exercised in matters of election. It being enacted by section 50 of the Election Petitions, &c., Act, that 'no election or return to Parliament shall be questioned except in accordance with the provisions of this Act,' doubts were expressed whether this provision would not supersede the proper jurisdiction of the House, in determining questions affecting the seats of its own members, not arising out of controverted elections. It was plain, however, that this section applied to the questioning of returns by election petitions only. When controverted elections were tried by committees of the House, a sessional order required 'all persons who will question any returns' to 'question the same within fourteen days;' and under that order election petitions were received. In parliamentary language, therefore, to question a return was to controvert it by parties interested—not to adjudge it by the House itself. During the continuance of that judicature, the House never attempted to interfere with controverted elections, but after the time had expired for receiving election petitions"—

And this is a point to which I want specially to call the attention of hon. members:

"after the time had expired for receiving election petitions it always held itself, not only free, but legally bound to determine all questions affecting the seats of its members, as numerous precedents attest."

Not as the Minister of Justice attempts to lead this House to believe, not the limitation which he placed upon their powers, questions merely affecting the disqualification of members returned, but, in the language of May, all questions affecting the seats of members of the House:

"Where returns were questioned by petition, the matter was determined by the statutory tribunal; otherwise the House uniformly exercised its constitutional jurisdiction. And such continued to be the position of the House after the judicature of its election committees had been transferred to the judges."

Now, nothing could be plainer than that. It shows that the House at all times and under all circumstances had maintained that which I maintain is really necessary to its independent existence—its control over its own officers and over the returns they make to the House; and if we part with that, and by resolution to-day declare that, no matter how grossly wrong or partisan the return of a returning officer may be, unless some one chooses to question it, the returned member may sit in this House, we will be striking a blow at the independence of Parliament from which we will be a long time rallying. Supposing a returning officer chooses to think that it is more desirable in the interests of the public that he, himself, should be returned and not the man who receives the highest number of votes; suppose he chooses to return a man who is not a candidate at all; suppose any of these extreme cases, or suppose a case which is almost as flagrant, that he returns a man who obtains a small minority of the votes, this House, if they

Mr. DAVIES.

adopt the resolution of the Minister of Justice, will declare that they are powerless, and that, unless some one files a petition in the court, they are not going to question the election at all. The personal right which an elector or a candidate has to take advantage of the Controverted Elections Act and file a petition in the court is one thing. The right which this House has to purge itself of members who are improperly sent here is a higher and a very different thing; and I maintain that that right has never been questioned and cannot be questioned. The House always possessed it and possesses it now. The hon. gentleman went on further to argue, as another reason why the House should not take up the case, that in one sense the case was already before the court, and I felt rather sorry that a gentleman occupying the position he does, as Minister of Justice, should attempt to use such an argument. He says, the question of a recount is before one of the courts, and I ask Parliament to pause while that question is there. The hon. gentleman knows well, no one knows it better, that under the peremptory statute of the land no question of a recount can be taken up, that the time has long expired.

Mr. THOMPSON. Nothing of the kind.

Mr. DAVIES. The hon. gentleman knows perfectly well that it is not possible to have that recount now.

Mr. THOMPSON. Nothing of the kind.

Mr. DAVIES. The hon. gentleman knows well that the matter must be brought before the court within a certain time.

Mr. THOMPSON. So it was.

ADDRESS TO HER MAJESTY.

Mr. SPEAKER informed the House that he had received a Message from the Senate transmitting to the House of Commons an address to her Majesty the Queen congratulating Her upon the completion of the 50th year of Her Majesty's auspicious reign, and requesting the concurrence of this House.

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

After Recess.

THIRD READING.

Bill (No. 15) to incorporate the Imperial Trust Company of Canada.—(Mr. Denison.)

IN COMMITTEE—THIRD READINGS.

Bill (No. 39) to authorise the Grange Trust to wind up its affairs.—(Mr. Masson.)

Bill (No. 38) to amend the Act to incorporate the Hamilton, Guelph and Buffalo Railway Company, and to change the name of the company to "The Hamilton Central Railway Company."—(Mr. McKay.)

Bill (No. 35) to incorporate the Berlin and Canadian Pacific Junction Railway Company.—(Mr. Bowman.)

Bill (No. 25) to amend the Act to incorporate the Brantford, Waterloo and Lake Erie Railway Company.—(Mr. Sutherland.)

Bill (No. 43) to incorporate the Niagara Falls Bridge Company.—(Mr. Rykert.)

Bill (No. 45) further to amend the Act respecting the Canadian Pacific Railway Company.—(Mr. Kirkpatrick.)

Bill (No. 57) to incorporate the Prescott County Railway Company.—(Mr. Scriver.)

SECOND READING.

Bill (No. 110) respecting the Saskatchewan and Western Railway Company.—(Mr. Scarth.)

QUEEN'S, N. B., ELECTION.

Mr. DAVIES. Before recess I was calling the attention of the House to the argument which had been advanced by the hon. the Minister of Justice, to the effect that the matter which is now being considered by this House is substantially before one of the courts of the land, and, therefore, that we should hold our hands, and I was endeavoring to show the hon. gentleman was not correct in that statement. The matter before the House now is a very simple one, namely, whether, in the case of a returning officer who is charged with the performance of certain specific duties by statute, and who, acting in direct defiance of the directions of the statute, returns a candidate who received the minority of votes, this House has jurisdiction to correct his palpable error. That is not a matter over which any county court judge has any jurisdiction whatever; it is not a matter over which the officer charged with the summing up of votes could give an opinion which would be effective one way or the other; but I go further, and I say that the proceedings which were originally instituted in the recount are practically at an end. The initiatory proceedings probably, as far as I know, were we all taken, and I will assume, for the purposes of the argument, that there was jurisdiction on the part of the county court judge to recount the votes. But what are the facts? In order to carry out the jurisdiction which the law gives to him, it is essential that the returning officer should, in the words of the statute, in obedience to the command of the county court judge, appear before him with the ballot boxes and the papers. The law says that :

"He shall give a command to the returning officer to produce before him the ballot boxes and the papers, which command the returning officer and his election clerk shall obey."

Now, the facts are that John R. Dunn, the returning officer, did not obey the command of Judge Steadman to appear before him with the ballot boxes. He disobeyed that order, and the county court judge was incapacitated from proceeding any further. The law says :

"The judge shall proceed, as far as practicable, *de die in diem*, with the recount."

But he could not proceed, he could not begin, because the returning officer, in this respect as well as in every other respect, violated the direct commands of the statute. The statute says further that :

"The returning officer shall delay making his return to the Clerk of the Crown in Chancery until he receives a certificate from the judge of the result of such final decision and recount."

But the returning officer, John R. Dunn, did not delay making his return to the Clerk of the Crown in Chancery until he received that certificate. The returning officer prevented the possibility of such a certificate being given by the county court judge, and he did, in defiance of the statute, and while a recount was pending, make his return to the Clerk of the Crown in Chancery. And over and beyond that, this House, one of the highest judicial courts of the Dominion, has issued its mandate and taken from the returning officer the ballot papers and all other papers connected with the election, and has thus practically put it beyond the power of the county court judge to make a recount even if this rule for the writ of prohibition was discharged. Therefore, I repeat what I said before recess, that there is not a recount now pending practically. There cannot practically be a recount held. It is dead, and it is a refinement of irony on the part of the Minister of Justice to say that there is a

proceeding pending before one of the courts of the land now, the result of which may be to dispose of the matter which is now before the House. He says further that the House has no jurisdiction in this matter at all. This House has already claimed to have, and has exercised, jurisdiction in this matter. When the question first came before the House, if the Minister of Justice, leading the House, thought the House had no jurisdiction to act upon the matter, why did he not lay down that proposition in a resolution, and ask the House to pass upon it? So far from doing that, he asked the House to seize jurisdiction of this matter, and the House, in response to his request, did seize, and I think did so properly, jurisdiction in the matter. After seizing jurisdiction, it referred it to the Committee on Privileges and Elections, so that the House claimed to have and exercised jurisdiction in the matter. The Committee on Privileges and Elections took evidence upon the matter, kept the whole case pending before them until almost the last day when it was competent for any elector to petition the election court to have right done there, and then, at the last moment, they make a report which the hon. Minister of Justice now asks us to adopt, in which they declare that it is contrary to the spirit and policy of Parliament for this House to decide a question of this kind at all. But I maintain that the House is not bound to ratify, and would not be justified, under the facts before it, in ratifying the conclusion of the majority of that committee. That conclusion contains statements which I say are not the fact. That conclusion embodies the statement to which I would be sorry to give my adhesion, namely :

"That the returning officer has returned that George F. Baird, a candidate at the said election, has been duly elected to represent the said electoral district, the said returning officer having held that George G. King had not been duly nominated as a candidate at that election."

This House is asked to commit itself to the proposition that John R. Dunn, the returning officer, had authority to hold that Mr. King was not properly nominated, after he had received the nomination; after he had received the election fee; after he had given a receipt for the payment of the money; after he had acceded to the demand for a poll; after the poll had been held; after a majority of votes was summed up by him in favor of the candidate whom he did not wish to return. I maintain, if there was any judicial power in the returning officer at all, that power had to be exercised by him upon the nomination paper upon the nomination day, when the paper was handed in to him; and I go further, and I say it is perfectly plain that he did exercise judicial functions at that time; that he did declare, as he ought to have done, as he did perfectly properly, that the nomination paper was a good nomination paper; that the money so received was properly paid, and he gives the statutory receipt certifying to that fact, and announces to the whole people of Queen's county that George G. King is a perfectly proper and qualified candidate for whom they can vote. Having done that, and the election having been held, and because, forsooth, the majority of the electors chose to return Mr. King instead of the candidate he desired to have returned, he turns round and says: I will now reverse my judicial decision given ten days ago, before the election, and declare that those proceedings were a perfect farce, that the people were voting when they had not a right to vote, and that the votes given for Mr. King were a perfect nullity. I am quite sure that the Minister of Justice will not commit himself to the proposition that, assuming Mr. Dunn to have had judicial functions and to have exercised them in that way, he could, ten days afterwards, after the election was over, reverse his own judgment and declare all the proceedings which had been had a nullity. The whole thing is opposed to law and is opposed to common sense. This is not a matter which should be kept entirely in the region of *nisi prius*. There are higher considerations involved in this

matter than those which would govern a court of *visi prius*. There are matters of right, matters of justice, matters of privilege, matters which affect not Mr. King alone or any individual elector in Queen's county, but which affects the whole mass of the electors in that county; and, further, which affects the whole mass of the electorate of Canada; and more than that, which seriously affects the rights and privileges of this House of Parliament. Then we are told that, while we had power to seize this matter, to refer it to our Committee on Elections and Privileges, now we are to declare that we have no power at all. I say that would be stultifying ourselves. I say it is perfectly open to this House—and it would be a monstrous proposition if it were not so—to refuse to ratify the report of a majority of that committee. Every member of this House is at perfect liberty to vote as he pleases on that question. Now, what did that committee report? There was possibly a scintilla of justification for the ground they took, which was that at that time there was a concurrent jurisdiction, at any rate, in the courts of the land to which it was competent for any elector to appeal and get justice done, and therefore they said: We will leave the people to their rights in the election court. I did not agree with that argument, but assuming it to be good then, what is to be said now? The time has expired when any elector can appeal to the court. There is no court in the land which has any jurisdiction in the matter except this high court of Parliament. There is no court to which the electors can appeal for justice. We have the right and we have the power, and I say it would be a monstrous proposition for us to refuse justice to these men when we are asked in this way to do it. It is not a personal question for Mr. King, it is a question of our own rights and privileges, and as, I said before, the rights and privileges of the electors. Now, Mr. Speaker, having said so much upon the power of this House to dispose of this matter, let me say one or two words upon the merits of the case itself. Sir, we are face to face with a very strange state of matters. The law declares in language which cannot be misunderstood, which could not be misunderstood even by that very respectable person, Mr. John R. Dunn—the law declares in language so plain and clear that it needs no lawyer or counsel to advise him on it. "The candidate," it says, "who, on the summing up of the votes, is found to have the majority of the votes, shall be then declared elected"; nothing can be plainer than that. What does the returning officer say? He says: I will not act in pursuance of that declaration in the law, however clear the language may be. The law is mandatory, imperative, not merely directory. He *must* do so, and it is in the interest of the public at large, in the interest of constitutional Government, in the interest of the rights of the people, that the law prescribes that its minion shall not have jurisdiction, but it says that he is to add together the number of votes received by each candidate, and declare the result accordingly. The law goes on to make assurance doubly sure in the 65th section, where it declares that the returning officer shall declare that the candidate having the largest number of votes has been duly elected, and shall forward his certificate to that effect to the Clerk of the Crown in Chancery. The nomination paper was submitted to him by Mr. King, which he received as a nomination paper; the money was paid to him, for which he gave a receipt, a receipt, Sir, which the law says shall be sufficient evidence of the payment therein mentioned. But, after having given that receipt, and after having received that nomination paper and proclaimed Mr. King a candidate, on the summing up of the votes he now says: I will reverse my judgment, and I will declare that all the proceedings are irregular and void. Now, I will not repeat my argument that his judicial functions were at an end, but I will come to the one point made by those who say there was a shadow of excuse for the conduct of the

Mr. DAVIES.

returning officer. Sir, under our law, we know that \$200 is to be paid as an election deposit, and it is contended that the deposit must be paid by the election agent of the candidate. I will undertake to say, Mr. Speaker, that if hon. members vote that to be the law, and they were honest, many a man in this House, after voting that way, should get up and resign his seat. I will venture to say that there are dozens of members sitting to-day in this House, who did not pay the deposit through the hands of their election agent. I have no hesitation in saying that I am one. I did not pay my \$200 through the hands of my election agent, and why? Because I doubted very much, as I doubt now, whether a person putting himself in nomination can legally constitute a person an agent until his nomination paper is accepted by the returning officer. In the section that prescribes that \$200 shall be paid to the sheriff or returning officer, the law does not say that it shall be paid by the election agent; it says it shall be paid to the returning officer, and that the receipt of the returning officer shall be sufficient evidence of the legal and proper payment. But it is said there is a clause in the statute, section 118, which prescribes that all payments are to be made through the election agent. That is so, but to what does that apply? That clause, Mr. Speaker, is a literal transcript of the English law, copied word for word. In the English law, of which this is a copy, no deposit of the character that we make is required to be made, therefore the word "deposit" in this section, and which some hon. members seek to twist into the deposit of \$200, cannot bear that construction in England, for no such deposit is to be made. That being the case, I submit that the payment can be made legally by the candidate himself, or by any person on his behalf, as well as by the election agent. My own impression is that the election agent is not properly appointed until after the money is paid, and the nomination paper received. Now, I think I stated that no case can be found in England, in the British Empire, for the last 100 years, where a returning officer has acted in the illegal, arbitrary, and unfair manner in which John R. Dunn has acted, and which the Minister of Justice asks this House to ratify. But, Sir, there is a case somewhat analogous, somewhat parallel to this, and I would like to call the attention of gentlemen who may have any doubts on this case before the House, to the reasons given by the learned judges who decided upon it. That was a case in Ireland, called the Mayo case, and was decided in 1874. There were three candidates for election. The two hours which the law prescribes for receiving nominations had elapsed. Two of the candidates had appointed their election expense agent, and had put in their nomination papers. The third candidate had put in his nomination paper, but had not appointed his election expense agent. As soon as the time for holding the court was up, the two candidates who thought their papers were perfect, demanded that they should be returned by the returning officer, and that the nomination of the third candidate should be ignored on the ground that he had not appointed an election expense agent—very similar to the ground that Mr. Dunn takes here, in fact, I think that it is the very ground. Now, the returning officer yielded to the objection, and without calling for a vote, he exercised judicial functions at the moment, and declared these two men to be regularly elected, and would not grant a poll. Of course, a petition was immediately filed in the court, and I wish the House to bear with me while I read the short decisions given by the judges in this case. We have had strong language used in this House with reference to the outrage, as it is termed, which John R. Dunn has committed upon the rights of the people, but the language which we have used in this House is not as strong as the language which the learned judges used from the bench. They characterised the conduct of that returning officer as an outrage upon the election law, and they

said the only thing that relieved the case was the inconceivably ludicrous aspect of it, and they wondered that any man should be found so wanting in brains as to make such a ridiculous return. Mr. Justice Morris said :

"In this case none of the court, I believe (I can certainly say so for myself) have a shadow of a doubt about this case, or have had such from the time we heard it raised ; and for my part it appears to me almost inconceivable how such a decision could have been arrived at by any person.

"It appears, however, that this gentleman, the sheriff, who I presume is a country gentleman, was not assisted by an assessor, and I may add, parenthetically, that when sheriffs allow themselves to be influenced, forced I should say, into making such ludicrous decisions as this it ought to be cautioned to fortify themselves by the advice and assistance of counsel."

The learned judge does not scruple to say that the returning officer was forced to make this ludicrous and illegal decision ; and I am not going beyond the bounds allowed to a member of Parliament when I say that it is perfectly apparent, from the explanation made by the sitting member, that he was the man who got John R. Dunn appointed because he saw no other chance of winning the election, and that Dunn was forced to make the return he did. The learned judge goes on to say :

"This case comes very little short of what it was opened to us by Mr. McDermott as an outrage upon the law of election. A party is put on nomination ; the sheriff has the fullest power under the Act of Parliament of investigating his nomination paper, and seeing that he was properly nominated and seconded, and there his control ends ; he has only to go on with the election. The suggestion made here is that he would be open to any remarks made in the town as to whether the candidate had committed bribery, and I think that would be a most irrelevant enquiry. Cases were cited which had no more bearing on the question before us than the case of the six carpenters would have had ; as to whether this gentleman (the petitioner) had paid to the sheriff a sum of money for the expenses of the election, or whether it was a mere statement that he did so ; in my opinion a most irrelevant and idle enquiry ; for if he paid it ten times over it would have had just as much to say to the case as if (to use Mr. McDermott's illustration) he wore a white hat or had fur on his coat. In this case I have no doubt. The rest of the court will express their opinion individually—that the election must be declared null and void ; and I can only add that I really think such a thing could not occur in any other part of Ireland than in Mayo."

I would certainly hope, were it not for my late political experience, that this case could not occur in any other riding than in the riding of Queen's, N.B. ; but I am sorry to say I do not entertain such a belief, and I have no hesitation in expressing my belief that if this House ratifies the conduct of John R. Dunn and declares that the minority man be returned, that he has a right to come here and has a right to retain his seat, John R. Dunn's conduct will have many a parallel at the next election that takes place in Canada. This case is so *à propos* of the one now under discussion, I will ask the permission of the House to quote the judgments of the other two learned judges. Mr. Justice Keogh said :

"I am entirely of the same opinion. The case would be serious if it were not so intensely ludicrous, that it is impossible to look upon it except in a ludicrous aspect. The case before us states that all the three persons were duly nominated. Every one of the three was entitled to a poll. An objection was then made that the petitioner had not appointed an expense agent. That, however, had nothing to do with the duty of the sheriff in appointing a day for a poll. Even supposing it had, at twenty-five minutes past two an expense agent was duly nominated by the petitioner. The ground was then shifted, and the agents for the respondents said to the sheriff: 'we object to your receiving a nomination of an expense agent, for the day is over ;' and in five minutes afterwards, at half past two, the sheriff acting under the advice of counsel for the respondents, proceeded to declare them duly elected. That is really the ludicrous part of this case ; but suppose it was tolerated, there is no reason why every sheriff in Ireland should not do the same, and if so it might happen that every member for Ireland would be returned by the sheriff. These two gentlemen have at present as much right to be members for the county of Mayo as any man who hears me."

If it were parliamentary I would say that the sitting member for Queen's has as much right to sit here as any one of the spectators in the galleries, and no more.

"Yet if there were a close division in the House of Commons on an important political question, they might decide who should be the Prime Minister for the next five years. I do really concur with my brother Morris that in no other part of Ireland—I may go further and say, in no

other part of the British Dominions—could such a thing have occurred as has happened in this case."

The learned judge did not know of the case of the county of Queen's, and the existence of John R. Dunn. The judgment of the Lord Chief Justice Monaghan was as follows :—

"I am as anxious as the other members of the court to express my opinion on this case ; not that I have the slightest doubt upon it. It appears that, according to the Act of Parliament, it is the duty of a person coming forward as a candidate to appoint an expense agent on the day of election ; but the Act does not go on to say that the election is rendered void, if this expense agent be not appointed. It merely says that the party who may pay money for the expenses of the election, without having an expense agent, will be guilty of a misdemeanor ; but that has nothing to do whatever with the duty of the sheriff in appointing a day for a poll. Without any shadow of doubt all these gentlemen were duly nominated. It was the duty of the sheriff to appoint a day for a poll, and his not having done so renders his return null and void."

There is a case, decided unanimously by three judges of eminence and repute. There is a case entirely on all fours with ours, in which the Lord Chief Justice gives a decision on the very section of the Act of which ours is a copy, in which he shows the serious consequences which may follow if we vest in a returning officer, a minion of the law appointed by the Government for the time being, the power to defeat and quash the will of the people and to return a member to this House. We sit here with authority and power because we boast that we are the representatives of the people at large, but in this case we see a candidate sent here according to the political caprice of the returning officer and in defiance of the will of the people. If one returning officer can do that twenty or thirty returning officers can do the same thing, and the result will be that we shall have representatives here not representing the opinions of the people, but the whims of those officers appointed by the Government for the time being. In this country the people are supposed to rule, and if the Liberal party are true to their instincts, and if hon. gentlemen opposite will rise to-night above mere paltry party considerations, and discharge their conscientious duty, the people in this case will rule and the man they have elected will be placed in his seat. The day has gone by when men can be elected otherwise than by the will of the people. It is all very well to talk about loyalty to the Crown, but loyalty to the people is something better. We are talking in this Jubilee year about the great commercial prosperity of this country, and about the advance we have made in our political institutions, and it will be a crowning disgrace to this Jubilee year if the Parliament of Canada endorses the conduct of a returning officer in sending a man here in defiance of the will of the people. If that is done, we had better go back to the old times and adopt the old method :

"The good old rule, the simple plan,
That he will keep who has the power,
And he will take who can."

We shall then know that it is power and not law that rules in this country. I have heard an expression of opinion come from some hon. gentlemen, and come from their hearts, too, that they would not have been surprised, and, perhaps, they would not have been sorry either, if when the people found their voice and their wish thwarted, they had acted summarily in the matter and punished the man who attempted to do so. I, for one, rejoice that they are a peace-loving people, and I trust that Parliament will prove itself equal to the exigencies of the case, and rise above the contemptible party spirit and register its determination that in Canada the will of the people shall prevail. In order that a square vote may be taken upon this matter, I move the following amendment to the amendment :—

That all the words after the word "That" in the amendment to be struck out, and the following substituted instead thereof:—"at the late election held in the county of Queen's, New Brunswick, for the House of Commons, two candidates, namely : George G. King and George F. Baird were nominated, a poll demanded, and granted, and duly held, and on the summing up of the votes polled, the candidate, George G. King, had a majority of sixty-one votes. That the returning officer

nevertheless returned the defeated candidate, the said George F. Baird, as elected, and that it was his duty instead to have returned the said George G. King, who received the said majority of votes, as the member elected, and that said returning officer (by name, John R. Dunn), be forthwith summoned to attend at the Bar of this House and amend his return accordingly.

Mr. WELDON (Albert). I hope the House will be willing to listen for ten minutes to some sober argument, as a measure of relief from the splendid rhetoric, the somewhat intoxicating declamation, with which we have just been favored by the hon. member for Queen's, P.E.I. (Mr. Davies). Representing a New Brunswick constituency, when this case first came before the House, I had a feeling of regret that the parties who felt themselves aggrieved, by reason of the conduct of the returning officer, had brought their grievances away from the court which sat with open doors in New Brunswick, up to this House, where so much of our valuable time has been wasted with results which I think we will all find in the long run are not very profitable. There are so many points of agreement between the legal position assumed by the hon. gentleman in the earlier part of his speech, and my own, that I can in a very few minutes say all that I have to say by way of reply. He glanced at the distinction between two privileges of Parliament which I desire to set out at a little greater length—though not at great length—namely, the distinction between the privilege of trying controverted elections and the privilege of expelling unworthy members. For the former, the English Commons fought for hundreds of years, but, after party Government was organised, it was found to be a dangerous one; and I may say that the history of the growth and abandonment of that privilege is a very curious illustration of the curved lines along which political progress is made. Let me distinguish the privilege of the House of Commons to try controverted elections, from another privilege equally ancient and equally important, namely, the power of expelling from the House its unworthy members. I undertake to say that every case cited by the hon. gentleman in English practice since 1868, as an illustration of the doctrine that the English House of Commons has retained jurisdiction to deal with disputed elections, is but an illustration of the exercise of the second privilege—a privilege which they never abandoned, and which they have always maintained as necessary to the dignity of the House of Commons. In cases belonging to the first of the two classes which I have mentioned, experience has shown that committees of the House were incompetent to give a proper trial, because the facts were involved and legal points difficult. But the assertion of the older privilege, although in some small measure it involves a judicial enquiry, still, as stated five weeks ago by the Minister of Justice, is commonly a simple enough matter. I say that all the English cases since 1868, in which the English House of Commons has interfered with the seats of members, are cases in which they have expelled unworthy members; I care not what the nature of the unworthiness, whether they were debarred by sex, or age, or intellectual infirmity, whether by the fact that they were peers of the realm, or that they were felons, or had violated the Independence of Parliament Act, but not a single one of the them will you find of the nature of the case which is alleged to exist here, namely, one in which some alleged defect took place in the conduct of the elections, whether up to the nomination day, or between nomination and polling day, or between polling and the day of declaration, or incident to the return. In all the English cases relevant to our enquiry where, since 1868, a member's seat has been attacked in the House, the ground of attack has been the disability of the member by reason of his own status or act, and not by reason of the illegal conduct of the officer concerned with the election. If we take the Waterlow case in 1868, which was cited by the hon. member for Queen's, P.E.I. (Mr. Davies), we find that the facts were simply that the House of Commons said that a contractor was under the ban of the

Mr. DAVIES.

Independence of Parliament Act, and that he should not sit in the House. It was a perfectly easy matter to determine whether the claimant in that case was entitled to the seat. They had simply to prove that A. B. was a contractor and that the claimant was A. B., and the matter was at an end, but the present case involves a much more elaborate, troublesome and complex enquiry. Then if we take up the case of O'Donovan Rossa in 1870, the House of Commons simply declared that they would expel a felon; if we take the case of Mitchell in 1875—a case which was dealt with twice, the House said the same; or the case of Michael Davitt in 1872, or the case of Bradlaugh in 1883, in which the House of Commons said that a man who had not taken the oath should be expelled—if you take all those cases you will find that they belong to the category of cases in which the House asserted its right to expel unworthy members. So that I say if members are laboring under any disabilities by reason of their *status* acts or omissions, the House has reserved the power to say that such persons shall not sit. The hon. gentleman quibbled a little about the phrase "personal disabilities," used by the Minister of Justice, yet he gave us no better phrase, and, though he challenged, he did not impair the Minister's statement that in no single case since election trials had been relegated to the courts did the English House of Commons look into a matter of controversy that had any bearing or connection with the conduct of elections as a matter in dispute, and the matter in dispute here is one which is intimately related to the conduct of an election. In the Canadian cases we have the case of Louis Riel in 1874, in which the House expelled an unworthy member; we have the case of Victoria, N.S., in 1875, in which the House was not asked to attack the seat of a member; it was not asked to seat anybody, but it was asked to deal with the returning officers. Now we were dealing with a case of that kind a few days ago, but we have done with it, and we are asked now to deal with a question touching the seat of a member. In the course of that debate in 1875, a very able lawyer, the member for West-Durham (Mr. Blake) expressed very strong and clear opinions which the Minister of Justice quoted to night; and I may say that I think that when the member for Queen's, P. E. I. (Mr. Davies) charged the Minister of Justice with not having read enough of that speech, he made a ludicrously irrelevant charge, if such an adverb is not unparliamentary. It is true that the Minister of Justice did not read the whole speech of the leader of the Opposition, but he did read all that part of it that bore in the slightest degree upon the question before the House, and if he had read further he would have introduced matter which would only complicate the question before us. I say the Minister of Justice would have done wrong if he had read any more of the speech; he would have confused the House; and when the hon. member for Queen's, P.E.I., went on to read what the hon. member for West Durham had said about the power of the House over returning officers, and what the right hon. leader of the House said about the same thing, he introduced issues that are not pertinent to this discussion, and was simply confusing the House. In discussing the Victoria case (1875), a distinction between that case and the present was drawn by the hon. member, who says that, as a matter of fact, there are not now proceedings pending in the New Brunswick courts. I understood him to say that the matter was practically dead. I am sorry the senior member for St. John (Mr. Weldon) is not in his place, for I think he knows the facts better than either the hon. member for Queen's, P. E. I., or myself. I am speaking subject to correction, but I think the facts were not correctly stated. I believe that within the time fixed by statute, a day was properly named for the recount by the county judge, and if this rule nisi for the writ of prohibition given

by the judge of the Superior Court be not made absolute, I believe that the judge will go on with his recourt; and I believe that Mr. King understands it so, and is pursuing his remedy in reliance on those sections of the Act quoted by the hon. member for Queen's, P.E.I. The only other case in Canada that bears on the discussion is the difficult case of King's, P.E.I., in 1883. With reference to that case I think there will be but one opinion, that whatever be the jurisdiction of the House, it was *ex necessitate* compelled to deal with that case. There came a return which some hon. gentlemen called a double return, which on the other side of the House was called a special return. The man with the highest number of votes, Mr. McIntyre, was declared a member, the man with second highest number of votes, Mr. Robertson, was declared by the returning officer to be disqualified, and the man with the third highest number, Mr. McDonald, was said to be elected. My view is that it was an informal return, the substance of which was that Mr. McDonald was returned, and that the House corrected the informality and formally in terms declared Mr. McDonald elected. The hon. member for Queen's, P.E.I., shakes his head; but if he says that it was material to the conclusion that the House should find Mr. Robertson disqualified, we come back to the distinction drawn by the Minister of Justice some days ago, and restated to-day, that it was a case of disqualification under the statute. Just as the statute says that contractors may not sit here, and just as in the old country peers cannot sit in the House of Commons, so members of the Local Legislatures are disqualified from sitting here.

The only strong point the hon. gentleman made in his contention was made when he quoted from May. I think the cases are against him. I do not think he finds, either in the modern English cases or in any of the Canadian cases, any authority for the position that the House must exercise jurisdiction. I do not think he finds any authority even for the position that the House can exercise jurisdiction in a case of this kind. But I frankly admit that he did score a point when he quoted May; yet he glided lightly over three or four sentences, though he read the whole paragraph. Those sentences I will read again. From 1770 down to 1839 a large committee conducted trials of petitions; and after 1839 a smaller committee of 13 members, under Sir Robert Peel's Act, conducted them until the trial of petitions was relegated to the courts:

"When controverted elections were tried by committees of the House, a sessional order required 'all persons who will question any returns,' to 'question the same within 14 days'; and under that order election petitions were received."

During those 14 days the House was not competent to try them at all.

"During the continuance of that judicature the House never attempted to interfere with controverted elections."

Now, I call the attention of the House to the fact that when the aggrieved parties in Queen's, N.B., brought their case to the House, that old judicature, or the equivalent of it, was open to them, that the 30 days had not run out, and that the parties, by the very terms of May, were wrong in coming here when they could have taken their grievance to the courts of justice.

Mr. DAVIES. The parties did not come here. The House took the question up as a question of privilege. There never was a petition before this House at all.

Mr. WELDON (Albert). I recall that statement, then. Let me say that if you follow this paragraph you will see that it is what may be called an *obiter dictum*; it is an unsupported and a loose dictum. I think both the hon. member for Bothwell (Mr. Mills) and the hon. member for St. John (Mr. Weldon) will agree with me that while Sir Erskine May is the highest authority on parliamentary practice, he is not recognised as the highest authority on questions of

constitutional law. The hon. gentleman opposite smiles, but I will take the responsibility of giving that estimate of this distinguished writer. I think, furthermore, that it is the duty of the author, in formulating that proposition, to support it with citations, which he has not done. But I frankly grant that from the text of the book the hon. gentleman has made his point. The hon. member for Queen's, N.B. (Mr. Baird), standing in his place this afternoon, asked what I thought a very pertinent question—why the parties carried their grievances away from Queen's up to Ottawa? We have heard a great many reasons given. One was that the interval was so short that Mr. King was not able to file a petition in the courts, and to get his trial before the first Session of the House would have passed. That is a reasonable statement; but I think that in twenty years there have been but two instances when the elections were held so close upon the sitting of Parliament. Therefore, that is a grievance which is a rarely occurring one. It is also said that the reference to the courts is dilatory and expensive. The answer to that given by the hon. Minister of Justice is that that is an attack on the Act of 1874, and that this House cannot by resolution repeal any section of an Act of Parliament. If our opinion be that judicial trials are dilatory or expensive, the true way is to take steps to repeal the statute, and not in this piecemeal way to try to cut down the provisions of an Act of Parliament. There is a notion that somehow parties can get a fairer trial in Parliament than they can in the courts, that different rules and canons for interpreting the statutes prevail here from those observed by the judges. This, I need not say, is a perfect delusion; we have no power to make any new canons for the interpretation of the laws that we participate in making. They say, lastly, that if this House is not bound to entertain the case, the Minister of Justice, or a returning officer, the minion of the Government, as the hon. member for Queen's, P.E.I., said the other day, may, after every general election return the candidate of the Government, though he should be in the minority, and thus cheat the candidate who should have been returned, out of his first Session. I answer that any returning officer who should do this is liable to a double punishment. He is liable, in the first instance, to a heavy penalty under the Act; and, secondly, he may be compelled to come before the House and undergo an examination as did the returning officer for Queen's county yesterday, and be punished if guilty. Of all the questions which have been raised in this matter, the only one properly before the House, to my mind, is that of jurisdiction. Have we the jurisdiction in this case? Are we empowered, under the constitution, to take up an enquiry such as this? Hon. gentlemen opposite say we are, and urge the doctrine of concurrent jurisdiction. That doctrine, I hold, is a very dangerous one to urge. I will not say, under the English cases, that we are without jurisdiction, but the cases do not show we are bound to exercise jurisdiction. My own personal view of the matter is that we may, by resolution, decide to exercise jurisdiction.

Some hon. MEMBERS. Hear, hear,

Mr. WELDON (Albert). I think there is no legal reason why we may not, by a resolution, lay down the proposition that the House has jurisdiction, but, taking that position, I say that in my judgment it would be a dangerous rule to lay down. This is a grave constitutional crisis, so far as the election law is concerned; it is a serious matter that the hon. member for Queen's, N.B., is not the man whom the majority of the electors chose to represent them. It is much to be regretted, as between Mr. King and the sitting member, that the right to the seat has not been elsewhere determined, and, furthermore, it is to be regretted that the majority of the electors of any constituency should not have the man of their choice sitting here. There is, however, I

contend a greater danger to be feared, and that is that we should give to the majority in Parliament the power, by simple resolution, to take the seat from any hon. gentleman sitting in this House and give it to another. Our constitution would be put more in danger by the exercise of such a power by a bald majority of this House than by the conduct of the returning officer. There was no point made on either side which had such weight, in my judgment, as that emphasised by the hon. Minister of Justice, that it would be a grave and dangerous power to give to a majority of the 215 members here, the right to say that, in their view, any hon. member returned to this House was not properly elected, and proceed to unseat him and appoint another in his place. Hon. gentlemen opposite who are fighting for that position may have reason to regret the course they take. It is we who, in reality, are fighting the battles of hon. gentlemen opposite; it is we who are urging the rights of the minority, and hon. gentlemen opposite may yet thank us for standing by the doctrine that, whatever our constitutional rights may be, it is a dangerous rule to lay down that this House, in a case of this kind, may exercise the jurisdiction claimed for it. Hon. gentlemen opposite, I know, have in their hands a whip, which they openly boasted they would use to scourge us with when we went back to our constituents. They have threatened that they will appeal from this Chamber to the people in the various constituencies. I do not fear their threats. The hon. member for St. John asked, five weeks ago, to vote out the sitting member for Queen's and to put in his place Mr. King; he asked us to deal out Lynch law, to do what the people of a frontier settlement do when a man is committed at noon, hanged at night, and the judicial faculty is exercised the week after in ascertaining whether the right man or the wrong man was hanged. We do not propose to deal out this law here. We do not propose to yield to a blundering, rude desire to have speedy justice meted out, but we intend to comply with the spirit and form of the law. The hon. member for the city of St. John the other day expressed his contempt for lawyers and for legal ways, but if he will look back to history, he will have reason to think better of lawyers, for he will find that at critical times they have been the saviours and guardians of the State. It has been said by an illustrious French jurist, 50 years ago, who had the un-English gift of understanding people whose laws and habits were different from his own, that one of the strongest guarantees for the security and peace and order of the English Empire was the respect the people had for its laws, and their disinclination to interfere with the course of the law. Sir Henry Maine, and others who have studied our constitution, have made the same point. That is the sum of our argument to-night. We have examined the matter, and we hold that the aggrieved party should have gone to the courts of New Brunswick and there sought remedy. I will take this opportunity of saying, as I sit down, that in my personal judgment a wrong has been done. I believe that Mr. Dunn blundered. I believe, from all the facts, that Mr. Baird is not entitled to his seat, and I was very much delighted to hear him say that he would resign his seat.

An hon. MEMBER. When will he resign?

Mr. WELDON (Albert). The hon. gentleman heard what he said as well as I did. I was delighted to hear the sitting member say that, for it seems to me that while we are here to-night fighting the battle of the minority in this House; while we are fighting the battle of hon. gentlemen opposite, the early resignation of the member for Queen's, N.B., will give that protection to the majority of the electors of Queen's county which hon. gentlemen opposite are not prepared to give, whether through cowardice or through fear that their legal position is not as strong as it should be, or through fear that the disclosures in the courts would

Mr. WELDON (Albert).

open that constituency and cause them in fair contest to lose it, or that, at all hazards, they want, at the sacrifice of the rights of the electors of the county, to score a point against the Government, to win a new battle cry. But when Mr. Baird resigns his seat, he will be fighting the battle of the majority in Queen's county, as we are fighting the battle of the minority in this House. I shall support the amendment of the Minister of Justice.

Mr. AMYOT. I must congratulate the speaker who has just sat down upon his moderation and the sense of honesty with which his words show he is imbued. In some of the principles he has expressed, we all agree. The principal difficulty is the question of the jurisdiction of this Parliament or rather of this House, because this is not the Parliament. If it were the Parliament of Canada, of course there would be no question whatever, but the difficulty, the hon. gentleman says, is to know whether the House of Commons has the right to expel a member and to put another in his place. It is a well known principle that every constituted body is the guardian of its own dignity, and the guardian also of the *personnel* or of the members who compose it. If the House of Commons has no jurisdiction, who will give us jurisdiction? Shall we petition the Senate or the Executive? Who is above us here in our House? Who is above the representatives of the people? We say we have given to the courts the right of deciding about the elections. Yes, but does that take away the right that we have to look out for our dignity and to see that those who sit with us are really members? It is true that the tribunals have been charged by us with the function of deciding the elections; but in the past year they had no right to deprive us now of the right, or to exempt us from the duty, of looking out to see who are those who sit with us. We have no power to day to deprive those who will sit to-morrow of the rights inherent to a House of Assembly. As to the jurisdiction of the House it is a very simple question. We may do concerning ourselves anything we please. It is not a question of right; it is a question of discretion. As the people are not disposed to choose men unfit to represent them, and as we are 215 here, we are supposed to act with discretion. Well, we have the right to do what we please, but we are supposed to do it with discretion, and the question to-night is to know whether or not we would act with discretion if we were doing such and such a thing. Did the ministerial party doubt its jurisdiction when it decided to put Mr. Robertson aside and to put Mr. McDonald in? Was there any doubt then? We then thought the thing most simple. Some contended that there was no jurisdiction, but everybody on the other side got up and said we had jurisdiction. So there can be no question at all about the jurisdiction. They say there is concurrent jurisdiction. I will say that if there was concurrent jurisdiction, I would for my part hesitate before using our own power, because it is always dangerous to give to the parties the use of their powers in these circumstances; and, if the courts had still the power, I would hesitate before voting as I will vote; but I think I will demonstrate in a moment that the courts have no more any power whatever. It has been admitted, and I think there is no use in discussing that point any more, that a fault has been committed. There is a grievance; somebody suffers, and there must be a remedy. That is the English maxim, based upon common sense and justice—there is no wrong without a remedy. Here we are in presence of a wrong, a serious wrong. Not only one man suffers; not only Mr. King suffers; but the whole county suffers, and the whole country suffers, and the whole country may suffer more still, and there may come circumstances wherein the existence of the Cabinet may depend upon one vote. Then what would be the position? What would be the responsibilities? What would be the consequences? It is admitted, then, that a fault has been committed.

Should we interfere? There are many reasons why we should interfere. First, the error is a public one; it is a public wrong, and it is a clear one; and the injustice is gross, is manifest. In the second place, if we do not act—and here I draw specially the attention of the hon. the Minister of Justice—if the Parliament does not act now, there will be no remedy. In the first place the time for contestation is over. That is admitted, I think. Everybody admits that the thirty days are over. But we are told there is the ballot to be recounted. Did I understand well that the ballot is still to be recounted? Did I understand the Minister of Justice aright; is that what he said, that the counting of the ballot is not over?

Mr. THOMPSON. I said it had been given in evidence at our bar that Mr. King was still pursuing in the courts of New Brunswick his remedies in relation to the recount and in relation to the prohibition.

Mr. AMYOT. So the ballot is not over. If the ballot is not over the election is not over, and what right has Mr. Baird to come here, and to have been here a moment ago addressing us? If the ballot is not over—

Mr. THOMPSON. Will the hon. gentleman allow me to put a question to him? If the election is not over, what right has Mr. King to be seated?—and he is pursuing his remedy.

Mr. AMYOT. If the ballot is not over it is no more over for Mr. Baird than it is for Mr. King. The effect must be the same for both.

Mr. MITCHELL. If my hon. friend will allow me, I may say in reply to the Minister of Justice that the motion does not ask to seat Mr. King.

Mr. THOMPSON. Yes, it does.

Mr. MITCHELL. The amendment to the amendment asks that the returning officer be called to the Bar of the House to amend his return.

Mr. THOMPSON. What right is there to ask him to do that if the election is not over?

Mr. MITCHELL. There is a perfect right.

Mr. AMYOT. There is no use in trying to put a shade before our eyes on such a question. When we, the representatives of the nation, have to discuss and decide, we must take the facts sincerely as they are. I am sure that the honesty of the Minister of Justice will be struck by that reasoning—if the ballot is not over, the election is not over, and the Government should never have allowed Mr. Baird to come into this House and address the Assembly; if the ballot is over, that is, if the recount is no more possible, there is no other remedy than by this Parliament; and if such be the case, the Government, if they go on with their motion, will take the responsibility of having here for five years a member who is elected by the minority; they will, in the eyes of history, pass for men using their majority to increase the same, and to diminish the minority in the House, and to take away the rights of the majority in the county of Queen's. This is the position, and I am sure that the hon. members of this House will understand it as I do myself, and will find that what we are doing now is this: We are trying, by subtleties of the law, to take away the right of a man, to take away the right of the majority of a county, to take away the right of a minority of this Parliament—by subtleties of the law, by all sorts of precedents which you cannot apply to the present law, which is new, we are trying to take away the rights which I described a moment ago. A member, the other day, pretended that the witness, or the accused—call him as you like—wanted a lawyer. Well, I think there are lawyers enough in this House already. All the strength that the use of the law, that the study of the law may give to cover an injustice

seems to be employed in the present case. For my part—I do not speak now as a lawyer—I do not undertake to follow these precedents, but I say this: Justice is justice everywhere, and is the best safeguard of the liberty of any people. I say to those who are laymen: Take care, gentlemen, what we are doing now is this: We are going to try and cover injustice under the pretext and veil of law. That is the short and the long of it. There is a man who has received a majority of votes. He should be here; he has a right to be here; his county has a right to see him here. But the majority in this House take upon itself to say: No; we, the majority, acting by party spirit, will cover up this injustice which is so manifest, and we will give the seat to the minority candidate. That is what they are trying to do. But I am sure the Parliament of Canada respects itself too much for that; I am sure the Parliament of Canada will say that the county which has elected Mr. King has a right to be represented here. Sir, on the 22nd of February last there was a man who was an officer of this House of Commons; he did what he should not have done. Well, let us do what he should have done, and let us put things in the position where they should have been put on the 22nd of February, and after that let the parties seek their respective rights in the courts. You propose to say to Mr. King: Go to the courts. By what right can we say to Mr. King: Find a thousand dollars, look after a lawyer, go to the court 50 or 100 times, endure all the anxiety of a lawsuit, carry your case to appeal, fight for three or four years, perhaps, and after that you will perhaps have your rights. Sir, he has the majority, and he has the right to sit in this House, and to wait until he is attacked. Let Mr. Baird look out for his \$1,000, and bear the trouble and expense of a trial. In the name of law, in the name of common sense, in the name of justice, in the name of the dignity of this Parliament, we ought to do here what the returning officer should have done on the 22nd of February; and we should say to Mr. Baird: Carry your case to the courts; and to Mr. King: You have the majority, come and sit with us.

Mr. ELLIS. I desire to say a word or two about some remarks made by the hon. gentleman who sits for Queen's. I do not propose to take up the personal questions with regard to myself to which he referred. I desire, however, to point out to the House that Mr. Baird declares that he went into the county of Queen's and found arrayed against him, as it were, Mr. Justice Steadman, the revising barrister, Sheriff Butler and Mr. Babbitt, the registrar of the county. He found that all these were men in whom he could put no confidence whatever. Now, if these remarks made any impression upon the mind of the House, I would like to call attention to the fact that Mr. Justice Steadman, the county judge and the revising barrister, was appointed to first office by the Government of the present First Minister, quite a number of years ago. Mr. Butler, the sheriff of the county, was appointed by a Local Conservative Government in sympathy with the Government of the right hon. gentleman; and Mr. Babbitt, the registrar of the county, and who was, I presume, the clerk of the revising barrister, was also appointed to the position he holds by a Conservative Government. I am sure that these men are considered by all who know them, to be men of character and men of probity. There is no question, whatever, that Mr. Butler, the sheriff of the county, a man who has filled that office for ten or twelve years, can be trusted anywhere. He is not a partisan. I really did not know, until I saw it stated during the discussion that has arisen on this matter in New Brunswick, that Mr. Butler was a Liberal. With regard to myself, the sitting member for Queen's made what he supposed a very strong point against me: that I had published in a newspaper in the city of St. John, some remarks about him in

reference to this election. Well, Sir, I must confess to the fact that I did publish several remarks. The question was one which largely affected the Province, it was one in which there was a strong public opinion, and I endeavored to treat the question as best I could. He charges me further with quoting from a number of other papers. Well, I was glad that once in my life, at any rate, I was able to find so many leading Conservative journals in Canada agreeing with the views I expressed in the journal I edited. It afforded me the greatest pleasure to be able to quote from the *Ottawa Citizen*, the *Montreal Gazette*, the *Toronto Mail*, and a large number of other journals which are undoubtedly organs of public opinion of the Conservative party, and which, on that occasion, expressed the very best thought of that party, as I believe. I think I did nothing wrong in that respect. I do not propose to go into the legal question at all. The matter does not strike me as a legal question. The Minister of Justice is very anxious as to precedents. Let the Minister of Justice on this occasion establish a precedent which will redound to his credit and to his honor. Let him establish a precedent which can be referred to in the future as one in which this House did simple justice. The hon. member for Albert (Mr. Weldon), who is a constitutional doctor, I believe, admits there is a wrong, and that this House can repair it; but with singular inconsistency he says: Do not do what is right because at some future time it may become a precedent for somebody else to do wrong. Now, I do not think that is a kind of argument that would appeal to any ordinary mind. He also makes a point from the fact that the sitting member for Queen's offers to resign. As I understood that offer, he said he would resign when the electoral lists were revised, and as the Minister of Justice has a Bill before the House to postpone the revision for some indefinite period, it looks to me as if the resignation would be postponed to some indefinite period. I can only say that I hope, as was said by the hon. gentleman who last preceded me (Mr. Amyot), that the House will do justice in this case.

Mr. GIROUARD. The question before the House is not, as it was put by the hon. member for Bellechasse (Mr. Amyot), whether an injustice has been done to the electors of Queen's county, but the question is whether we have jurisdiction in the matter at all? The question is not whether the time has lapsed in which the parties interested could file an election petition, or complaint, before the ordinary court. It is not the fault of this House if Mr. King or any of the electors of the county of Queen's (N.B.) have not taken the necessary steps to have their rights maintained. It may be an inconvenience, but I presume similar inconvenience may be felt in many other counties where some fraud or some violation of the statutory law has been committed. This is altogether a question of law; it is an important point of parliamentary procedure, or rather as to jurisdiction in election matters, and in the few remarks I propose to offer to the House I intend to consider it as much as possible from a judicial point of view, as I have done on past occasions, for instance in the King's county election case when I had the misfortune to differ from both sides of the House. To-day, I find myself in agreement with the report of the Committee on Privileges and Elections. There can be no doubt that for centuries the law and custom of Parliament had been that the House of Commons had the right to declare who was entitled to sit in that House, and I presume that right continued to exist until it was repealed by more recent legislation, superior to the law of the House of Commons. I presume that the privileges and powers of the House of Commons continued to exist until they have been repealed and surrendered by the House of Commons, under the authority of a statute of Parliament. The hon. member for Bellechasse (Mr. Amyot), asked: Where was the authority superior to

Mr. ELLIS.

this House? There is one authority superior to this House: it is the law of the land. When the Crown or the House of Commons have surrendered or renounced any of its privileges and prerogatives, those privileges and prerogatives can no longer exist until they are reestablished by the same authority that abolished them—that is by Parliament. Has the House of Commons ever renounced the privileges and right of taking cognisance of election matters? The hon. member for Queen's, Prince Edward Island (Mr. Davies), said there was an unbroken line of precedents establishing the jurisdiction of this House in matters of this kind. He referred to precedents in England before 1868. I contend that they have no bearing whatever upon the issue. If he referred to precedents in this country before 1873, I say that for the same reason they have no application.

Mr. DAVIES. Why?

Mr. GIROUARD. I will tell the hon. gentleman. Until 1868, in England, there was no such provision as the one to be found in section 50 of the Imperial Election Act of 1868, and reproduced in the Canadian Statute of 1873, which says that all elections held hereafter shall not be questioned otherwise than under the provisions of this Act. Until 1868, in England, the trial of controverted elections was held under the Grenville Act of 1770, and also under the Act of Sir Robert Peel of 1848, which created certain committees to decide election cases. We had the same procedure in Canada under the Statute of 1851, which is mentioned in the report of the subcommittee which is incorporated in the report of the Committee on Privileges and Elections, to be found in the Votes and Proceedings of this House for 12th May last. In 1868, for the first time, the British Parliament enacted that no election shall be questioned. That provision is not to be found in the Grenville Act of 1770, or in the Act of Sir Robert Peel of 1848, or in the Canadian Statute of 1851. It is not to be found in any statute in England or in this country, before 1868, in England, or 1873 in Canada. I am going, therefore, to pass over all precedents before the Statute of 1868 in England, and the Canadian Statute of 1873, as having no bearing whatever on the question under consideration. If we look at the language of the Imperial Statute of 1868, or the Canadian Statute of 1873 which reproduces it, it is very plain, and it does not require the learning of a lawyer to know its meaning. It says no election shall be questioned except under the provisions of that Act. What does that mean in plain language? Does it not mean that, hereafter, the House of Commons will not interfere in election matters? Is not that the plain meaning of it? I ask laymen who understand the English language whether such is not the case. If the same language occurred in the Grenville Act, or in the Act of Sir Robert Peel, I would say that precedents before 1868 have an application. But it is not to be found there, and it is only to be found in recent legislation. Let us see what are the precedents in England as well as in Canada, under the terms of the recent statute. In England there were five cases bearing on the subject, and in every one of those cases the House of Commons interfered only when it was a question of the personal disqualification of the candidate. I refer to the case of Sir Sydney Waterlow decided in 1868, a very few months after the Imperial Act was passed, which case has been referred to during this debate. Then there is the O'Donovan Rossa case which was decided in 1870; the case of John Mitchell in 1875; a second case of John Mitchell decided the same year, when the House of Commons of England laid down a different doctrine from the one laid down in the first case. In the first case, the House held that Mitchell was disqualified from sitting in the House of Commons. When the question came up a second time the House would not interfere, and I look upon this last decision as contradicting the first one. We have finally the

case of Michael Davitt decided in 1882. All those were cases of disqualification; not a single case of illegality of an election or even of fraud at an election. The hon. member for Queen's, P.E.I. (Mr. Davies) insisted very strongly on the Mayo case in Ireland, where a great fraud was consummated on the electors, just as it is said a gross fraud was perpetrated on the electors of Queen's, N.B. That may be, but where did the parties go in the case of Mayo? Did they go to the House of Commons? They went to the courts.

Mr. DAVIES. There was no election.

Mr. GIROUARD. We know that the courts of justice have a right to interfere only when an election is held. There was a nomination of three candidates and the returning officer omitted one nomination, and proceeded to the election upon the nomination paper of the other two candidates.

Mr. DAVIES. He declared the two elected.

Mr. GIROUARD. But did the person whose nomination was passed over by the returning officer go to the Imperial House of Commons to complain? No, he went to the ordinary courts of the land, and that is exactly what Mr. King or any of his friends should have done. I challenge any hon. gentleman to point to a single case where the House of Commons in England has interfered in a matter as to the legality or illegality of an election, in fact, in any matter where the disqualification of the sitting member was not at stake.

Mr. DAVIES. It is not a question here of legality or illegality. The election was legal, but the returning officer did not return the one he ought to have returned.

Mr. GIROUARD. If the election was all right, why do you complain against Mr. Baird?

Mr. DAVIES. Because the returning officer gave a false return.

Mr. GIROUARD. Cases of false returns are relegated to the courts, as well as cases of illegal elections. This is a question of an undue return, of illegality in the conduct of the election by the returning officer. It is certainly not a case of disqualification on the part of either of the candidates, and, therefore, the precedents in England have no application; on the contrary, they prove beyond doubt that we have no right to interfere in the matter. As I have said, I shall not call attention to Canadian precedents before 1873, because they have no bearing whatever. I would refer to cases decided by this House since the Statute of 1873, which, as I have already quoted, says that no election held hereafter shall be questioned, except under the provisions of this Act. The first case reported in the proceedings of this House is the Perry case, which is not quoted in the report of the sub-committee that is incorporated in the report of the Committee on Privileges and Elections upon the present case. The question in that case was whether Mr. Perry was qualified or not—whether his resignation as Speaker of the House of Assembly of Prince Edward Island had been sent in at the proper time. It was, therefore, a question of qualification. The Committee on Privileges and Elections in that case, was of opinion that the resignation was sufficient, and the House gave the seat to Mr. Perry. However, seeing that there was some doubt in the matter, the committee recommended that a Bill of Indemnity be introduced in favor of Mr. Perry, and it was introduced accordingly. The next case was that of Louis Riel, which has already been referred to by one of the speakers who preceded me. That was also a case of disqualification; and it was moved that as Riel was a fugitive from justice, having already being charged with murder, that he was disqualified from taking a seat in the House, and it was in consequence declared that he was not entitled to his seat. The third case is the Gaspé case which was

decided in 1874—not the Gaspé case which is mentioned in the report of the sub-committee, but one which is still more striking in its bearings upon the present matter. On the 20th April, 1874, it was moved that the petition of Mr. Horatio LeBouthillier praying that the return for Gaspé be amended, and that, as a matter of privilege, the name of Mr. LeBouthillier be inserted instead of the name of Louis George Harper, he being at the same time the returning officer. The Journals of the House, page 84, state:

And objection being taken to the receipt of this petition on the ground that the subject was one which should only come "under the cognizance of the courts of law, as provided by statute," the petition was refused by the Speaker.

The member for Queen's mentioned that if returning officer Dunn was allowed to proceed as he had proceeded, he might have declared himself elected. Here is a case in point in which the returning officer was a candidate, and was declared elected. He was returning officer, he allowed the clerk to proceed with the election and he became a candidate.

Mr. LANGELIER (Quebec). The returning officer did not return himself in that case. He resigned immediately at the commencement of the election and left the papers in the hands of the election clerk, and the return was made by the election clerk.

Mr. GIROUARD. Is it not true that the writ of election was addressed to himself?

Mr. LANGELIER (Quebec). Yes.

Mr. GIROUARD. And was he not then the returning officer? After the writ was addressed to himself he resigned and became a candidate, and he was declared elected. I will take the liberty of quoting somewhat at length from the opinions held by leading members of the House at that time, and as the *Hansard* was not published then I can only quote the report of the newspapers of the day, and in fact the only paper that published a complete report was the *Mail*. Mr. Palmer, at present one of the most distinguished judges of New Brunswick, says:

"He thought the election court very clearly covered the case, and it (the petition) should not be received."

Then Sir John A. Macdonald said:

"It had been ordered by Parliament that all petitions praying for election returns should go before a different tribunal, in order to take away from the House all interference in such questions. He thought that they should avoid making such a precedent, and that they should come to the understanding that any petition that should go before the judges should be refused in the first instance by the House. Such a course would relieve Parliament of a great many petitions and a great many tasks.

"Mr. Kirkpatrick said that the petition complained of the undue return, and prayed that the return might be amended. The election court was the proper tribunal to try in such cases. The House ought not to be dragged into the arena of party politics.

"Mr. Cauchon said they had their own laws with regard to contested elections, and only in extraordinary cases the House claimed jurisdiction."

Mr. LANDERKIN. Yes, extraordinary cases.

Mr. GIROUARD. It does not mean that extraordinary cases are cases such as the one now before us. The Gaspé and Victoria cases were just as extraordinary. Mr. Cauchon went on to say that he thought the petition ought to be referred to the judges.

"The Speaker said he had no precedent to guide him in deciding as to whether the petition ought to be received by the House, and, therefore, he left it entirely to the House to determine. Consideration should be given to the question in order that in the future similar petitions might not again be presented. His opinion was that the petition should not be received."

Then you have the case of Victoria, Nova Scotia, in which there was a complaint about certain irregularities in the election, and the House would not entertain the complaint. Finally we have the King's county election case, which was

one of personal disqualification, the point being whether one of the candidates had resigned as required by law. Here, then, we have in Canada five cases decided since the Statute of 1873, and every one of them was a case of disqualification, except that of Victoria, N.S., and in every one of them the House of Commons refused to interfere, except when the sitting member was personally disqualified. It is not necessary for me to call the attention of the House to the fact that such able counsel as Mr. Matthews, Q.C., who was Home Secretary of England, and Mr. Edward Clarke, Q.C., who was Solicitor General, the former in 1870 and the latter in 1882, expressed the opinion that even in cases of personal disqualification the House of Commons had no right to interfere, except when the disqualification had taken place after the election. These eminent lawyers were of opinion that in such cases the statute was inapplicable. It is not necessary, however, to examine that point. It is sufficient to notice, that in England, as well as in Canada, under the statutes I have mentioned, not a single interference in matters of irregularity or illegality, or even fraud at an election, can be quoted; all the precedents are in cases where the personal disqualification of the candidate is at stake. I am perfectly willing to accept the jurisprudence of England and of Canada, but I do not feel inclined to go beyond that, to extend it to cases not contemplated by the practice of Parliament. For those reasons I support the report of the Committee on Privileges and Elections, and I will vote against the last amendment.

Mr. PATTERSON (Essex). It appears to me that the hon. gentleman who has just sat down has missed the real point of the matter. He seems to think that we are now dealing with the question of an election. We are not dealing with the question of an election; we are dealing with the conduct of one of our own officers. We are dealing with an election return, the facts of which are all before us above the signature and under the authority of our own officer. Now, my position being rather peculiar in this instance, and somewhat painful to myself, in that I am separating myself on this question from those with whom I usually act in this House, I will be pardoned if I go over the facts of the case. Mr. Dunn was appointed returning officer for Queen's, N.B. On nomination day he accepted a deposit, which deposit was required of the candidate in consequence of an Act passed in 1882. That Act provides that a candidate must have a nomination paper with a certain number of names on it, and says:

"Unless a sum of \$200 be deposited in the hands of the returning officer at the time the nomination paper shall be filed with him; and the receipt of the returning officer shall, in every case, be sufficient evidence of the production of the nomination paper, of the consent of the candidate, and of the payment herein mentioned.

Prior to that we had an Act respecting the election of Members of Parliament, in which it was required that payment should be made through an agent. The object of the payments to be made through an agent under that Act was something entirely different from this temporary deposit. That money was required to be paid through an agent in order to prevent corrupt practices at elections, and in order that irregularities or corrupt practices might be more easily detected at the trials of controverted elections. But that had nothing to do with deposits paid in to prevent vexatious elections, to prevent candidates running where the sentiment of the vast majority of the community was against them, and where there was no doubt that they would not be returned. In that case a deposit was required, and was forfeited if the candidate did not get one-third of the votes polled. Well, Mr. Dunn, the returning officer, received the money, gave a receipt for the money and the nomination papers, in accordance with the Act, and the election was held. On declaration day, when, in the presence of the candidates or their agents, the returning officer

Mr. GIROUARD.

came to count the ballots sent to him by the different deputy returning officers, he found that Mr. King was duly elected by 61 majority. It was his duty then, and his sole duty, under the statute, to have returned Mr. King, the candidate having the majority of votes. Instead of doing so, reopening the question of the proceedings on the day of nomination, he constituted himself a court of appeal against himself. He heard counsel; various arguments were brought forward and technical points raised, all of which he disposed of except this one point, that the deposit of \$200 should be paid in by the hands of an agent. Now, I am perfectly satisfied that the law never contemplated such an objection. The clause of the Act having reference to the deposit of \$200 on the day of nomination, was passed nine years subsequent to the passage of the Act respecting the payments of money through an agent. A judge, dealing with a question of that kind, would look at the intent of the Act; and I consider that we are here to-night sitting on this matter in a judicial capacity, and are to decide it on our personal honor, and not on party grounds. Mr. Dunn took it upon himself to decide that Mr. King, owing to this deposit not having been paid by an agent, was disqualified, and that the minority candidate was duly elected. He sent in his return to that effect, accompanying it with a statement of facts showing that Mr. King had a majority of the votes. Then the question arises before this House, whether we have power to deal with an act of our own officer, and power to amend that return. It is not a case of a controverted election. It is a question of a palpable wrong in the papers connected with the return, which are now in the hands of our own official, the Clerk of the Crown in Chancery. As to the question whether we have power to deal with this return and, with this returning officer's action, as a servant of this House, section 18 of the British North America Act provides:

"The privileges, immunities and powers to be held, enjoyed and exercised by the Senate and the House of Commons, and by the members thereof respectively, shall be such as from time to time are defined by Act of the Parliament of Canada."

Then, by chapter 23 of 31 Victoria, the Parliament of Canada enacted as follows:—

"The Senate and the House of Commons respectively, and the members thereof respectively, shall hold, enjoy and exercise such and the like privileges, immunities and powers as, at the time of the passing of the British North America Act, 1867, were held, enjoyed and exercised by the Commons, House of Parliament of the United Kingdom of Great Britain and Ireland, and by the members thereof, and so far as the same are consistent with and not repugnant to the said Act."

So it is not questioned that this House, at the time of the passing of this Act, had power to deal with a question of this kind. In fact, in 1873, before divesting ourselves of the trial of election petitions by committees of this House, and delegating those trials to the judges, a case in point occurred, the Muskoka case, in which various doubts were raised. But, on a motion of Mr. Blake, who was then a member of the Opposition, setting forth the facts, and showing that even under the most unfavorable circumstances Mr. Cockburn was elected by a majority of 26, it was carried that the return should be amended, and Mr. Cockburn was unanimously declared elected.

Mr. GIROUARD. Was that before the statute or after?

Mr. PATTERSON (Essex). It was before the statute. We had the power down to that time. Then, later on, so as not to embarrass the business of Parliament, and also in order that the trial of election petitions might be conducted with greater impartiality, we delegated the power to try them to the judges of the land; and in order that there might be no mistake or evasion, the fullest power was given to the judges, in order that no case might arise which could be evaded. But it was never intended that this House should divest itself of that power which, as the Supreme Court of Parliament, we

possess, for dealing with the conduct of our own officers when a palpable wrong or fraud has been perpetrated, as has been done in this case, on the returning officer's own statement of the facts. Taking this view, which appears to me to be as clear as the sun at noonday, I cannot be a party to any vote other than that which will give Mr. King, the gentleman elected on the 22nd of February last, the seat in this House. It is not a question of party. It is a question of the rights and privileges, of the honor and dignity, of this House. It is a case in which we are establishing a precedent. If it be said that there are no precedents for such a course, I think there was a precedent, although it was one I did not agree with; it was in 1883, when a gentleman having the minority of votes in King's, P.E.I., was declared a member of this House. That was a precedent in which Parliament took authority into its own hands, and acted without leaving the matter to the courts. I think an injustice was done in that case, and the course I then pursued is a course I have always pursued. I have always had a strong feeling against countenancing returning officers in taking powers such as have been used by the returning officers of King's, P.E.I., and Queen's, N.B. The county which I have the honor to represent has suffered on several occasions from wrongs of this kind. In the Old Parliament of Canada, the returning officer from the county of Essex, on two occasions, was brought before the Bar of the House in connection with election cases; and I have for years entertained a very strong opinion against allowing a servant of this House to take upon himself the authority to deal with matters of this kind. I think the precedent we ought to make should be a precedent that would deter returning officers from, in any case, attempting to exercise authority from a partisan point of view. Any question may be turned into a party question; but in England these questions are not considered party questions, and a member there is left free to act according to his conscience and his honor. I intend to keep myself free to do that on every occasion in which I am fully informed of the facts of the case, and in which I feel my own intelligence to be a sufficient guide. In any matter of the policy of the Government, in which, of course, the Government are better informed than I, I am willing to yield to their opinion, though I may have doubts. In the matter of the National Policy, although I think the Government have gone farther than the country anticipated they would when inaugurating this policy, and although I have serious doubts as to the results of this policy as now propounded, I intend to support the Government of the day. I intend also to give them loyal support in their railway policy and in their administrative policy as a whole; but in a matter such as this, which is clear as noon-day, when I am satisfied Mr. King is entitled to the seat, I cannot place my conscience in the hands of any hon. gentlemen. There is not an hon. gentleman opposite who supposes, for one moment, that I am one inch nearer to them because I take this stand and make this declaration. I do not think it is necessary that I should swear eternal friendship to a man because I decline to be a party to the appropriation of his pocket-book, and I do not think, because I am simply doing what I consider to be an act of justice and right, because I decline to rob Mr. King of his seat, that I am any nearer to those hon. gentlemen or their party. If for no other reason, the manner in which they conducted their recent election campaign throughout the country, and more especially in my own district, was certainly not calculated to draw me any nearer to them than I had been previously. In this case our main consideration ought to be for the personal honor and dignity of the House, and we should be animated by a feeling of *esprit de corps*. In the present day, we are not troubled with the encroachments of the Crown or of great nobles, as were the Commons of England at one time, but we may be troubled with

what is almost equally bad, a spirit of subserviency, and a too great servility to the Government of the day. While I have a strong desire to see these gentlemen remain in power and approve of their general policy, I think it is a mistake for us to give up our individual judgment; and, having formed my individual judgment on this question, I am bound in honor to carry out my views, even though I should be so unfortunate as to have to separate myself from my friends on this occasion. In England, party lines are not drawn in this way. Take for instance the case of Mr. Bradlaugh. Mr. Bradlaugh, we know, refused to take the oath, but subsequently, not having any regard for the oath, he said he would take it. Then the majority of the House of Commons refused to allow him to take it, because he had no regard for its sanctity. Mr. Bradlaugh was a supporter of Mr. Gladstone, and, consequently, Mr. Gladstone would not make a motion to prevent his taking his seat. Sir Stafford Northcote thereupon moved a resolution to this effect, which was supported by many of Mr. Gladstone's supporters, and carried by a large majority in the House. Mr. Gladstone did not resign, because on that occasion the leadership was taken out of his hands; and supposing, in this instance, Mr. King was given his seat, do you suppose, Sir, that would indicate a want of confidence in the Government? Do you suppose that the right hon. the First Minister would not be sustained on a direct vote of want of confidence? This House, I believe, would have the more confidence in him, because, possibly, he might have thought proper to make this an open question. It is a mistake to make a party question of every subject that comes up, and to draw party lines in that way in the House and country. I do not intend to say anything about the conduct of the gentleman who at present occupies Mr. King's seat. He is the guardian of his own honor. I am not here to vituperate him or anybody else. As regards Mr. Dunn, he may have been acting on legal advice, but he had no right to take legal advice. The matter was plain to him; his course was plain. His duty, when the polls were closed, was to sum up the returns of his different deputies, and send the return to the Clerk of the Crown in Chancery in favor of the man who had the majority of votes. When I think of the great powers Mr. Dunn conceived himself to be possessed of, I am astonished at his moderation; I wonder he did not dispose of both the candidates and seat himself instead of the gentleman he did. For the reasons I have given, being satisfied we have the power in our own hands to deal with this question, I intend to support the amendment of my hon. friend from Prince Edward Island. I think that it fully meets the case, and that it will be a valuable precedent for our future action. I may say, in reference to myself personally, that my action on a former vote in this connection was very much criticised in certain newspapers. I do not believe in that egotism which is always inducing a man to get up and rebut, as a matter of privilege, every trivial thing that a newspaper may say about him. But in justice to myself, and with your permission, Sir, I may crave the indulgence of the House. In this matter, although it was the first vote of any importance that came up in the House, having pledged myself, in a general letter to my constituents, during the recent election campaign, that in this House I would act in a straightforward and conscientious manner, I could not, on the first vote, act in a manner, which, from my point of view, would be anything but straightforward and conscientious. If words mean anything, I had no option but to vote as I did; and as reports were circulated that great feeling was caused in the party by my vote, I have this to say: that in relation to this matter the correspondents of the different newspapers who criticised my actions have entirely, as far as I know, drawn their facts from their imagination. During the years I have been in public life,

whether in this Parliament or in the Legislature of Ontario, I have this to say, that no man, whether leader of the Government or a follower, ever asked me how I was going to vote before I voted, or ever spoke to me after I voted with regard to my vote or criticised my action. I saw in one of the leading papers that words had passed between me and some of my friends, and that I had left for my constituency with the intention of resigning my seat. There is not a shadow of truth in that or any of the other statements made respecting me in this matter. If any high words passed, it must have been between gentlemen defending and attacking me behind my back. In my presence my actions were never criticised. I do not know how it is among other gentlemen opposite, but I never knew a case on this side, either in this Parliament or in the Ontario House, where a man was brought to task for his vote. I do not think that any man on this side of the House would tolerate—I, for one, would certainly not tolerate—the interference of any man with what I consider my rights in this House. However humble I may be in ability, however inferior I may be to others in the qualities which constitute a useful member of Parliament, on the question of my vote, and as a representative of an important constituency, I consider myself the peer of any man in this House, and I acted in what I believed to be in the best interests of my constituents when I cast my vote. I have made this statement because I think it is just, not only to myself, but to hon. gentlemen around me, to contradict the statement that I have been made to feel any resentment from a ministerial source or from my colleagues. I was not aware of any such feeling until I saw it stated in the public print. I have fully explained the ground on which I intend to vote, and I regret that I have to take that ground as against those with whom I usually act. I have not the shadow of a doubt about my clear duty in this matter. If I had the shadow of a doubt, in reference to the legal or constitutional ground on which I shall vote to-night, I would give that doubt in favor of the Government of the day of which I am a supporter; but I have no doubt on the question, and firmly believe that we have the right to act in this matter; that it is only a question of expediency, and that, as a question of expediency, we ought to do our duty with a view to the honor and to the prestige of this House. If we expect the country to respect us, we must respect ourselves. What does the honor and credit of this House amount to if we sink in the estimation of the country? If the House is strong in the estimation of the country, it is because in the past great men have been members of it, and the House is sacred to us and looked up to throughout the country owing to the memory of those men. We desire, as far as our humble abilities will permit, to live up to the traditions of this Parliament in the past, and to leave to our successors, untarnished and untainted, the stainless record we have received from the great men who have gone before us.

Mr. COCKBURN. I regret very much that I am one of those unfortunate people who are not blessed with that amount of intelligence which enables them at once to see clear as the noon-day sun through the intricacies of this question, which has been debated here for the last two or three days. Consequently, I am compelled to ask for a little information, and I am the more pleased to do it when I see so many gentlemen of the Opposition benches who are eminent and distinguished in law. I am but a layman myself, but, if I am able to judge by the remarkable examination of the gentleman who was brought from New Brunswick and placed at our Bar, there is in the Opposition sufficient legal lore to answer the little conundrum which I wish to place before them. The hon. member for Queen's (Mr. Davies), whose eloquent address I listened to with the greatest pleasure, confessed, in the midst of his oration, that there was a certain informality in the way in which his deposit was made. It might not be an informality; he might declare

Mr. PATTERSON (Essex).

that it was not, but he will agree with me that he said his deposit was made in such a way that many members in this House would consider it was an informality, and such an informality as would vitiate his election.

Some hon. MEMBERS. No.

Mr. COCKBURN. Yes, Sir; that is what he said.

Mr. DAVIES. If the hon. gentleman will allow me, I will state what I said. I said I had not paid my deposit through the hands of my election agent, not deeming that that was the proper way to do it. I paid it through my own hands; and I said I was satisfied that many other members had done the same thing, and that, if they voted to-night that Mr. King had violated the statute in this respect, they would condemn themselves and would have logically to resign their seats.

Mr. COCKBURN. I accept the hon. gentleman's statement, but there are many members who consider that this is an informality, and that, if it were strictly regarded, it would vitiate the election of the hon. gentleman. I therefore put this question to him. If he is prepared to decide questions of this kind by the brute majority of this House, he is put in this position: that I can rise and propose that he be expelled from the House in consequence of the informalities by which he obtained his seat. Is he prepared to leave a question of this kind to a majority of the House, or does he not consider that the House acted wisely in leaving the decision of these questions to the judiciary? I am not a lawyer; I am a simple-minded layman; I have no legal lore; but I put that question to the hon. gentleman, and I have that confidence in his honesty, in his integrity, and in his uprightness, and I know his goodness of nature, that I think he will try and answer the little conundrum to the best of his ability.

Mr. CASEY. The hon. gentleman who has just sat down has confessed that he has been unable to see this question as clear as noon-day. Perhaps he has illustrated the reason why he is unable to see into this question clear of all mists by showing that he has totally misunderstood the great question which is before the House by the conundrum which, in his humorous way, he has proposed to my hon. friend from Queen's, P.E.I. (Mr. Davies). He says that my hon. friend from Prince Edward Island admitted having paid his deposit in a way which some hon. members consider an informality. I do not know whether he can see that there is any difference or not, but he asks: would my hon. friend be willing to submit the question of such informality to the brute majority, as he playfully calls those on that side of the House. This shows an amount of humor and of wit which is quite refreshing in the House at this time of night, but it shows also, on the part of the hon. gentleman, an utter lack of comprehension of the question at issue, because no one has ever proposed for a moment from this side of the House that it would be advisable to submit a purely technical question of law such as that to which he has referred to the brute majority, or to the brute minority, or to a committee of this House. Our contention has been that legal questions of this kind ought not to be decided by the majority of this House, and I quite agree with those gentlemen who have spent a great deal of time in order to convince us of what we admit already, that it would be very unwise and very unsafe to leave to the decision of the House such legal questions as are involved in the making of deposits, the marking of ballots and other matters of that kind. That is not what we are asking. My hon. friend from Bellechasse (Mr. Aymot) put in a very clear way the problem which is now before the House. He says it is the right and the duty of the House to see that none but members of Parliament sit here. Who is a member of Parliament? A member of Parliament is a man who has been elected by the majority

of the voters in the constituency for which he ran. He is a member of Parliament and no one else is, no matter whether a returning officer chooses to falsely say he is a member of Parliament or not. What we are asking the House to do is to direct the returning officer to recant the false statement he made when he represented that the gentleman who now sits for Queen's was elected member for that constituency, and to state the obvious, the patent fact which he has stated himself at the Bar, that Mr. King obtained the majority of votes, and was, therefore, elected to represent the county of Queen's, N.B. As my hon. friend from North Essex (Mr. Paterson) said, we are not discussing questions of law, we are not discussing an election, but the action of our own officer. That officer has chosen to state a lie in the return sent in to the Clerk of the Crown in Chancery, and we wish to erase that lie from the record, and to put in the truth which he has been forced to admit before the Bar of this House. Some hon. gentlemen, and my hon. friend from Jacques Cartier (Mr. Girouard) in particular, have devoted a great deal of time to proving that we have not the right to try controverted election cases in this House. Sir, no one can be more strong in that belief than myself, and I believe that opinion is unanimous on this side of the House. But the case now before the House is not one of a controverted election, and that is the point that all these gentlemen have missed when they have been spending so much time in proving that we have not the right to try controverted elections. What is a controverted election case? It is a case in which the right of a gentleman who has received a majority of the votes, and has thereby the right *prima facie* to sit as a member of this House, is questioned on some ground of technicality, or of corruption. For instance, if the returning officer had performed his duty in this case, as directed by law, and returned Mr. King, and Mr. Baird—I must use his name in this case—and his friends had petitioned against that return on the ground that Mr. King had not made his deposit properly, then you would have had a genuine case of a controverted election, then you would have had a case to take before the courts, a case in which the qualification of the man who was elected was questioned by somebody who had a right to question it, and a case which, under our law, only the courts could settle. You have had a case of a controverted election in King's county, P. E. I., when the returning officer made a double return, stating that Mr. Robertson had a majority of votes, but he believed him to be disqualified, and therefore, made an open return. That was a case of a controverted election, or a doubtful election; that was a case where, undoubtedly, the man having a majority of votes should have been returned, because the qualification should have been questioned before the courts in the statutory way. But just where the House should not have interfered, under the leadership of the right hon. gentleman, it did interfere, and assumed to decide the legal question as to Mr. Robertson's qualifications, and to say that at the time he received a majority of votes he was not qualified to be a candidate, and it pushed him aside and declared elected the candidate who had the minority of votes. This was a case where, according to the contentions of hon. gentlemen opposite, the courts alone should have decided the matter, but the House was induced by the leader of the Government to interfere and decide the question of law. Now the case before us is not a controverted election case. There is no doubt here as to who is *prima facie* entitled to the seat. Mr. King is *prima facie* entitled to the seat, and if he were returned on his *prima facie* rights, he would have a right to sit here until the courts should have declared that he had not a right to be here. But until then, the gentleman who has been sent here in his place by the lying return of the returning officer, has no more right to be here as a member of this House than—I am going to quote the language used on a former occasion by the right hon. leader of the House

himself about a gentleman who occupied the seat you now occupy—I say, “he had no more right to be here masquerading as a member of this House, than one of the pages who runs about the floor.” If the returning officer has a right to say that the minority candidate is elected, he has an equal right to say that anybody else he chooses is elected. He has as good a right to say that I was elected for Queen's county as to say that Mr. Baird was elected. He had as good a right to say that any person of the legal age was elected as to return the defeated candidate. There is a defect in our law in this particular that ought to be remedied. In England, I fancy, it is practically remedied now by the decision, quoted to this House, of a judge in a case referred to in a city in the north of England. I think hon. gentlemen will remember the decision which was quoted. The judge gave as a ruling in that case that the majority elected the member whether the returning officer stated so or not; that the returning officer's duties were purely mechanical, namely, to state who had the majority; that if the returning officer failed in his duty and did not state who had the majority, or if he made no return at all, the man who actually had the majority of votes was elected all the same, and he could take his seat as soon as it was proven on satisfactory evidence that he had the majority of votes. In fact, he said the law assumed that what the returning officer was directed to do as a mechanical duty, was done, and that whether he made a return or not, or whether he made a false return or not, as to the number of votes, the man who actually could be shown to have received the majority of votes was, *ipso facto*, the member for the constituency until his right to be considered such was disproven before a proper legal tribunal. That is now the law in England, if that decision is followed by other judges, as I have no doubt it will be. In a case like this, the lying return of the man who was appointed to count the votes would be disregarded, and the man who actually received the majority of votes would at once be considered the member. Now, in rectifying the insufficiency of the law fully to carry out its intention in directing that to be done which is intended to be done, in forcing the returning officer to do that which the statute directs him to do, in forcing our servant, for he is such, to do that which we have ordered him by statute to do, we are not trying a controverted election case, we are not entering into a question of law, we are simply seeing that the statute is obeyed by our own officer, a statute passed by this House for its own protection. Why, Sir, it is no more trying a controverted election case than if we undertook to punish a constable who had, in that election, done something contrary to the privileges of this House. We are compelling that man to do what the statute compels him to do, and vindicating our own privileges against his usurpation. But we are told there is a remedy in the courts. Sir, I do not know that there is a remedy in the courts. I am not sure, even if Mr. King were to put in a petition and to seek a remedy in the courts, that he would be recognised as having a right to do so. Who is to petition? Why should the man who had a majority, who was elected, petition against the supposed election of somebody else? I do not believe that any return which a returning officer chooses to send in here makes an election. The majority of votes makes an election, and I do not believe Mr. King was in a position to petition against Mr. Baird, because it was he who was elected and not Mr. Baird. Mr. Baird is the only party who is in a position to protest against the election, and I believe if that point were raised as a matter of constitutional law, it would be very hard for any court to decide that the mere sending here of an untruthful and lying statement by a returning officer would make a member out of a man who had no claim to the position. Such an act calls for the intervention of this House, it calls for the condign punishment of our forsworn servant, it calls for the rectification of the

inconceivable injury which he has tried to do to the interests of this country and to the privileges of this House. And here is where it becomes necessary for us to remember that this is not purely a question of precedent, or a question of legal technicality; it is a vital question concerning the very existence of this House. If one returning officer can send a man to masquerade here, two, three, four, five or ten can do the same, and returning officers can send defeated candidates here, or men who were not candidates at all, in such numbers as to change the majority in this House. What remedy have you in such an event? The majority will control the action and will not allow the seats of its own members to be taken away, and thus for one Session at least one party or the other will obtain a majority by means of men not elected by the people, not even *primâ facie* elected, men who have not even that *primâ facie* claim which a corruptly elected member has until he has been shown to have been corruptly elected. If we do not put a stop to returning officers presuming to elect members to this House, where is representative and constitutional government? The hon. member for Albert (Mr. Weldon) says that in protesting against the interference of the House he is seeking to protect the minority, and that the majority might interfere at any time in such a way as to turn out one member and bring in another. The statement is absurd. There is no danger that the majority can ever injure the minority by giving effect to the will of the people as expressed at the polls, and that is all we ask. All we demand is that the returning officer should perform the mechanical duty provided by the statute, for he is as much a machine as is the ballot box, and that he should allow the will of the people to be expressed. If the majority of the House did interfere to see the recognised will of the people carried out by the returning officer, there was no danger to either the majority or the minority, and the plea that the position of hon. gentlemen opposite is taken on behalf of the minority is absurd. It becomes more than absurd, it becomes untrue. The plea is really, one on behalf of the majority that control this House, and its effect may be to prevent a member of the minority from claiming the rights conferred on him by statute law and by the votes of his constituents. Hon. gentlemen opposite seek to do away with the rights of the minority. There are many, however, I believe, who sympathise fully with the hon. member for North Essex (Mr. Patterson) in his opinion that the rights of the minority are in danger, that this case is a clear one, and that it should be decided as a point of honor. Let those hon. gentlemen on the other side of the House show their opinions by considering the question as if they were jurymen, and as if this was a point of honor, and not a party question. In this connection I would call attention to a remark made by the hon. gentleman returned for Queen's, N. B., in his speech, which, in other respects I will not criticise, though there is every temptation for criticism, coming as it does from a gentleman occupying the very extraordinary and peculiar position in which he stood. He challenged the vote of this House, free from party feeling, and he said he would be content to abide by that vote without reference to party lines. Will the Government accept the challenge of the man seated by their own supporter? Will they allow this vote to be one free from party bias, and will they declare it to be a matter in the public interest, and as freely open to members to vote as they please, as a Private Bill? I do not believe they will dare to allow free voting on this question. They have attempted to cover up the clear point at issue with a quantity of mysterious precedents that do not bear on this case, because this is not a controverted election. The Minister of Justice thought he had found a parallel in the case of Victoria, N.S., election, and I was astonished to hear him quote that case as a parallel, because the hon. gentleman knew very well that it was not a case

Mr. CASEY.

where the returning officer had failed to carry out the wishes of the people. It was a case strictly proper for courts of law; it was a case where there was no statement in one of the ballot boxes, and the returning officer refused to take any notice of the votes at that poll because there was no statement for him to count up. It was purely a legal question as to whether the returning officer had a right to accept a statement subsequently offered him by the deputy returning officer instead of the one that should have been in the box. The returning officer decided to leave that poll out of the count, and he strictly carried out the letter of the law. He might have acted rightly if he had done otherwise; at all events, it was a question for the courts to determine, and not for this House to determine. That the Minister should have risked his reputation as a lawyer, by comparing that case with the present one, where there is no doubt as to the facts and as to the law, where it is admitted even by the hon. member for Albert (Mr. Weldon) the professor of constitutional law at Dalhousie college, that on the face of the documents it is clear that Mr. King should have been returned. It is astonishing that a gentleman of the reputation of the Minister of Justice should risk that reputation by asking this House to abstain from interference to save its own dignity and reputation. The hon. gentleman has been for only two years a member of this House, but a gentleman who was taken from the bench to occupy a place in the Government should be specially jealous of the rights of this House, and should not have taken the position he has assumed on this question. The hon. gentleman has shown himself, on other occasions, fully capable of offering a clear and unbiased view of constitutional questions, and of questions of parliamentary procedure. He has given us instances of most admirable clearness of mind, of fairness of judgment, and of a judicial manner, in stating his conclusions. To-night we feel with sorrow, and with something more than sorrow, that this hon. gentleman to whom above all others is committed the task of looking after the privileges and rights of this House, has given with the same judicial manner, with the same apparent fairness, and with the same clearness of diction, statements that were nothing but a tissue of special pleadings, nothing but an attempt to cast a haze over the question which was clear until he succeeded in obscuring it for his followers. It was a speech to show hon. gentlemen opposite how they could excuse themselves if they failed to perform their duties in this matter. I regret that the Minister of Justice has given the House this exhibition, and I believe that he will regret it himself before he has been long in public life. The hon. gentleman amongst other statements said that Mr. King asked to have this seat conferred on him by the vote of this House. That was an extraordinary statement. The seat has been conferred on Mr. King already by the votes of the electors. That is admitted by the Minister of Justice, and by every one; but, because the returning officer chooses to tell a lie about the matter, the Minister of Justice appears willing to take advantage of the lie and retain the seat for that gentleman for this Session and probably forever.

Some hon. MEMBERS. Oh.

Mr. CASEY. As an Irishman I have a right to speak twice. I mean probably for the duration of this Parliament, and for the benefit of his party. It is not a question of conferring the seat on Mr. King. It is a question whether the theft of his seat which has been attempted to be perpetrated, whether the attempt to steal his seat that has been made by the returning officer and backed up by the Government of the day, shall be successful. If the House are willing that the seat should be stolen from Mr. King, then they will vote for the amendment of the Minister of Justice, that the opinion of the committee should be followed. If they are not willing that Mr. King's seat should be stolen

from him and conferred on Mr. Baird, by the vote of this House, if they are not willing to elect a man who is not now a member of this House, then they will vote for the simple statements of facts contained in the resolution of the hon. member for Queen's, P. E. I. (Mr. Davies)—facts no doubt in which they all believe—and in so doing they will save themselves and this House from a great degradation. The Minister of Justice made one other point which I shall notice, and that was with reference to the Committee on Privileges and Elections. He said that that committee stood in the same relation to this House that a man's counsel stood to himself, and that that committee was always consulted in matters of this kind. Well, it is not always consulted in matters of privilege, because as we know very well, such questions are frequently decided without reference to the committee at all. Nine years ago the hon. Minister of Customs moved that Mr. Anglin's seat should be disposed of, that his seat should be declared vacant, without any reference to the committee, without any reference to this alleged counsel of the House, and it was on my own motion that the matter was referred to the Committee on Privileges and Elections, instead of being decided summarily by this House at the demand of the Minister of Customs, backed up in very violent language by the present leader of the Government, in the Session of 1878. If the Minister of Justice had been here, or if somebody had told him of that case, he could not have assured the House that it was the universal custom to refer these matters to the Committee on Privileges and Elections, because his own leader and one of the deputy leaders of his party on that occasion did their best to induce us to decide a question affecting a member's seat without sending it to the committee at all. It does not follow that the decision of the committee shall rule with this House. They are only a committee of this House, composed of part of the members of this House; they are not a counsel, and if they have taken cognisance of this matter so also has the House taken cognisance of it. The argument of the Minister of Justice that he was consistent in referring this matter to the Committee on Privileges and Elections, after arguing that we had no jurisdiction, is done away with by the fact that the committee is part of the House. That committee has taken cognisance of the case, they have given an opinion upon it, and, therefore, on the motion of the Minister of Justice, it has been decided that we have power to decide the matter, and on that ground, I think, the question of jurisdiction is settled. I can only hope, in conclusion, that the simple statement of facts to this House will prevail, and that, however heated or excited we may be in discussing the matter, when it comes to a vote hon. members will remember that they are voting on their honor as members of this House, not upon a legal or technical question, but upon a vital matter which involves the whole question of our constitution as a representative body, and the whole question of our rights and dignity as the Parliament of Canada:

Mr. O'BRIEN. If the question before the House were simply a question of whether or not the returning officer for Queen's county, N.B., was to be censured for the part he took in that election, then I for one would vote heartily in favor of a resolution declaring that his conduct was contrary to law, contrary to common sense, and contrary to all that should have guided him in the duties of his office. Now, I do not admit that the returning officer has no judicial functions, as stated by the last speaker, because I think it is impossible for a gentleman to occupy the position of returning officer, and to perform the multifarious and various duties of that position as a mere machine. I think he must *ex necessitate* have more or less of judicial functions; but I think that, in this particular case, there can be no doubt—I have no doubt myself, at any rate—that the returning officer was entirely wrong in the course he took. I

think, in the first place, that having accepted the nomination papers of both candidates, having accepted the deposit from Mr. King, it did not lie in his mouth at any rate to become a party to any such proposition as that he had done wrong in so doing, and that the deposit ought to have been made by an election agent. More than that, I cannot see, from a careful consideration of the statute, that that deposit, made on behalf of the candidate or by the candidate at the time of his election, is to be considered at all in the same light as election expenses; there is nothing whatever in that statute that I can find to justify the contention that the deposit ought to be made by the agent for the candidate. If you look at the marginal note it clearly indicates what was the intention of the Legislature in passing that clause, for it is stated there that it distinctly refers to the payment as to be made by the candidate himself, and it seems contrary to common sense to suppose that the deposit made for the purpose of covering election expenses, in case the candidate should fail to comply with certain conditions, should be regarded in the same light as election expenses, incurred during the progress of an election, by the candidate himself. I think they stand upon entirely different grounds; I think it is contrary to common sense, as well as to the meaning of the statute, to suppose that the two stand on the same footing, or that the returning officer has any right to consider the deposit made at the time of the election in the same light as the election expenses incurred by the candidate during the period of the contest, which he is required by law to make solely and entirely through the election agent. So far as that is concerned, I have no doubt in my mind that the returning officer was entirely wrong; and after having, in the first place, accepted the nomination paper, after having accepted the deposit, after having given a receipt for it, after declaring that a poll was to be held, I think, whatever his motive may have been, whatever advice he may have acted upon, he was estopped from listening to a proposition such as that which apparently actuated him in the last instance, in declaring that the nomination was illegally made, and that, therefore, he was justified in returning the member who now sits for the county. I think the view that the candidate, or any one in his behalf, has a right to make the deposit has been acted upon by many of the members now sitting in this House. So far as that is concerned, I think there is no justification for the course taken by the returning officer. Judging by his evidence given the other day, I am not prepared to say that he acted from any other than conscientious motives, or a conscientious desire to do his duty, but at the same time I think he was mistaken. I must confess, however, that I was surprised—although, perhaps, such a course would not be in accordance with parliamentary precedent—that hon. gentlemen opposite who had brought him here, who had loaded him with epithets of opprobrium, who had charged him with criminality, who had exhausted upon him the language of vituperation, should not have censured him in any way after they had brought him to the Bar of the House. The motion of the hon. member for St. John (Mr. Weldon) is of a two-fold character. In the first place it proposes to set aside the recommendation of the Committee on Privileges and Elections, and, in the second place, it pronounces a censure upon the returning officer for the county. As regards the second part of the proposition I have already expressed my opinion, and I think there is no doubt that the view I take of that is correct. But with regard to the first part of the proposition, I am just as much at variance with the hon. member for St. John as I am in accord with him on the second part. I think the Committee on Privileges and Elections was justified in adhering steadfastly to the proposition that all matters connected with controverted elections, all disputes as to elections, and all questions as to who shall and who

shall not have seats in this House, have been relegated to the courts of law, and I do not think we should in any way interfere with the jurisdiction that we ourselves have conferred upon them. Even taking this as an extreme case, in which the House ought to interfere, if it should in any, I think it is better in the interest of the whole country, and in the interest of this House, that we should do an act of seeming injustice than that we should depart from a principle which the experience of this House and the experience of the country, and also the experience of the Parliament of England, has shown to be necessary for the maintenance of the integrity and independence of this body. Now, if the proposition of the hon. member was simply one of condemnation of the returning officer, I would have voted cheerfully and heartily for it; but when he couples with that a proposition which is entirely antagonistic to the principle this House has adopted and ought to adhere to, I have no choice but to vote for the amendment of the hon. the Minister of Justice. Now, one word with regard to the remarks made by the hon. member for North Essex. I think, Sir, nothing could be worse for the independence and character of the members of this House than for either the Government or the Opposition to draw party lines with that severity that would necessarily compel members to abandon their independence altogether, or else, as a matter of choice as well as a matter of necessity, to quit parliamentary life altogether. I, for one, while admitting the necessity of party government, and feeling that, under present circumstances, we are obliged to have party government, would never consent to occupy a seat in this House if, on every question that arose, I was to be told by gentlemen on the Treasury benches or on their behalf, I would have to vote with them or else be placed in that uncomfortable position in which I have found men are liable to be placed who exercise any independence in this House. On this occasion, if I felt that the proposition laid down was not one which was justified by all those considerations to which I have alluded, and one which I think this House is bound to adhere to, from the course previously taken, I should have no hesitation in taking the same course as the hon. member for North Essex. But I do not agree with him. I think this House is justified in adhering steadfastly to the principles established that all these matters should go to the courts for settlement. We do not know what evil might arise from a departure from that principle as a matter of general policy. I make those remarks because I think it is right and just that, in a matter of this kind, every member should act with independence. In a question of this kind, which is not a party question, which is, to a certain extent, a question of legal construction and also of public policy, I think every member should exercise his independent judgment; and the vote I give, I give, not because I think the gentleman who by courtesy occupies the position of the member for Queen's ought to have a seat in this House, but because I think the House would not be justified even under present circumstances in departing from the principle laid down. I further say that that gentleman would be unworthy of the confidence of any constituency in this country, unworthy of occupying a seat in the House or of associating with the members in the business of the House, or of occupying the position of a gentleman, if, after this vote is decided, he should continue to sit in this House, not possessing the confidence of the majority of those whom he professes to represent.

Mr. FREEMAN. I think it would be a very extraordinary thing if it should turn out that all the hon. gentlemen on that side of the House are acting conscientiously in the course they are taking, and not from party motives, and that all the hon. members on this side of the House are being led by the nose by the leader of the Government, as hon. gentlemen opposite say we are. It is very extraordinary how it

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should happen that they who have all one way of thinking in regard to this matter should be actuated by principle, and that they should think it necessary in this debate to urge us to be conscientious and to lay aside our party feeling, as if we were all partisans and they were all independent gentlemen. I wondered, when I listened to them, how this all turns out, and I think they will find it very difficult to answer. There have been few questions before this House since I have sat here, about which there seems to have been so many different opinions among these gentlemen as there is on this one. The hon. gentleman who last addressed the House on that side said that this was not a legal question at all. When he said that I asked myself this question: then why has the time of the House been frittered away in arguing the legal bearing of this question by so many of the highest legal authorities in the House? No one can have listened to the legal arguments which have been offered on this question without coming to the conclusion that the whole matter turns on legal questions. I have to look at the conduct of the returning officer. It has been my duty on several occasions to act in that capacity, and I have looked at the matter in the light of my experience, and I think there is a good deal of excuse to be offered for the presiding officer, if excuse is required, for the manner in which he acted. In the first place, it has been said that when he received the money and gave a receipt, he guaranteed the legality of the proceedings of the candidate. It cannot be expected that the returning officer could be well advised as to the legality of the conduct of a candidate when the candidate is depositing his papers and money. Returning officers are seldom legal men, and, not being versed in the law, they are not prepared to give a decision in a moment on questions of that kind. I can quite understand that when the money was tendered, the officer was not prepared to say to the candidate: this is not a legal proceeding, and I shall not consider you a candidate unless the money is deposited by your agent. But he took shortly afterwards the step of advising the candidate, Mr. King, to appoint an agent. He reminded the candidate of his duty, and if the latter did not think proper to take his advice and comply with the law —

Mr. WELDON. He did.

Mr. FREEMAN—he should be prepared to stand by the consequence. When the presiding officer declared a ballot would be taken, he had to proceed with the election, although he may have been advised of the illegality of the tender; and when he came to return the candidate elected the objection was presented to him in its legal form, and I can quite understand that he, not being versed in the intricacies of the law, would be compelled to exercise his judgment. This he did, and if he erred there is some excuse for him. The courts are the proper place to decide this matter. I am the more confirmed in this view by the fact that on the one side here we have the Minister of Justice and other legal gentlemen perhaps of not so high a standing in the profession, taking one position, and we have legal gentlemen of eminence on the other side of the House taking just the opposite opinion, although they both quote the same books. How, therefore, is a layman to come to a conclusion on this matter if it be a legal question, as I hold it is. A large majority of this House are of opinion, therefore, this matter should go before the courts where the whole legal aspect of the subject will be presented, and there will be a proper legal decision. Hon. gentlemen opposite should allow this matter to be decided in the courts and let the gentleman entitled to the seat come here. Would hon. gentlemen opposite desire that Mr. King should come here if he were not a legally qualified candidate. The law of legal qualification is as necessary to be complied with as any legal requirement. Will these hon. gentlemen tell me that if Mr. King came here not legally qualified, he would have

the right to sit in this House. Hon. gentlemen opposite say it is very clear Mr. King was legally qualified. How am I to know that? I have no certificate as to his qualification. I believe that the revising officer, before acting as he did, decided, after the legal argument, that Mr. King was not legally qualified, and, therefore, was not a legal candidate. If, therefore, hon. gentlemen wish that every man who has a seat here should have complied with the law in every point, they should not desire to have Mr. King as member, if he were not legally qualified. I have said this matter should go before the courts, and that is the view that would be taken by hon. gentlemen opposite if they were half as conscientious as they pretend to be. This is the conscientious side of the House, and we are acting conscientiously in the matter. Let the courts decide who is the gentleman entitled to the seat, and we will see that he gets it.

Mr. WELDON (St. John). I wish just to make a few remarks, and I intend to do so, perhaps, mainly in reply to some remarks made by the sitting member for Queen's in his explanation to the House to-day. Judging from the remarks he made, it would be inferred that the parties connected with the revision of the lists were in entire sympathy with this party, and had an object in preparing the lists in Queen's county for the purpose of giving the Liberal party ascendancy. Knowing these gentlemen, I think, as a member of the Province of New Brunswick, these statements should not be allowed to go without contradiction. With regard to the revising barrister who had charge of the county of Queen's, he was a gentleman who has had a large share in the conduct of public affairs in New Brunswick, prior to Confederation; but I can say that, so far as he and I are concerned, we have never been in political sympathy, and he has been connected and associated with the Confederate party, and in entire sympathy with the party led by the right hon. the Premier. While he was in political life he received the respect of everyone, whether opposed to him politically or not. He was the associate of the late Minister of Finance, and of other hon. gentlemen who have sat in this House; and I believe, if the present Lieutenant Governor of New Brunswick was a member of this House, when he heard the remarks of the sitting member for Queen's (Mr. Baird), he would have denounced the assertion. Judge Steadman's sympathies have been with the present Government, but since he has been on the bench, and before, I have not heard his honesty impugned in the slightest degree. Then, in regard to the gentleman who was employed by him as his clerk, Mr. Babbitt, who has been registrar of the county for a number of years. I believe his sympathies are with the Liberal party, but whatever he did was under the direction of Judge Steadman, and when it is stated that he sent back the applications made to him, he could only have done that with the knowledge of Judge Steadman, who must have been a party to it. Then the gentleman accuses the sheriff of taking a part. The sheriff has already been spoken of by my colleague from St. John, so I will not enter into that question; but, as far as the conduct of elections in which he has taken part is concerned, I have never heard a shadow of a shade of doubt cast against him. After he was ousted out of his position as returning officer, at the instance of the hon. gentleman, no doubt he felt justified in taking any course he chose, in the same way as anybody else. The hon. gentleman spoke of the gentleman who was employed by Judge Steadman to make these lists, and he would infer that he was a Liberal. He was a lawyer, a young lawyer it is true, but I know he was one of the most active men in sympathy with the Liberal-Conservative party. It is a curious fact that, from the judge down to the least important officer who was employed, except the sheriff, who had nothing to do with it, everyone who was connected with the revision of those lists was in entire sympathy with the

Liberal-Conservative party. Every revising officer in New Brunswick did his duty fairly and impartially without respect to either party. So far with regard to the statements of the member for Queen's. As to the remarks of the Minister of Justice, it seems to me that he stood in the position of a lawyer having a brief. In the way in which he argued his case, he reminded me of a friend of mine in a court in New Brunswick, who put forward a certain proposition. The judge said: "Mr. Thompson, do you believe the point you are arguing?" The lawyer said: "Well, I do not believe it at all, but I want to make you believe it." If my hon. friend the Minister of Justice were sitting as a judge to-night, and he was unequalled as an administrator of justice in the Province of Nova Scotia, I would not be afraid to argue this case before him and abide by his decision. These hon. gentlemen admit that this Parliament has the right to go into the question of personal disqualification, but they endeavor to draw a line between that and the other case. I challenge any member of this House to show a precedent for this. As was pointed out by my hon. friend from Queen's, P.E.I. (Mr. Davies), there has been no precedent for a minority candidate being returned. My hon. friends, who were associated with me on the sub-committee, and myself, could not find a single case in the annals of the House of Commons where a minority candidate was returned by a returning officer. My hon. friend from Jacques Cartier (Mr. Girouard) says that, prior to 1873, and prior to 1868, cases have no bearing on this question, because, he says, an election petition can only be questioned in a court of law, as provided for in the Acts passed in those years.

Mr. GIROUARD. Not only an election petition, but any election.

Mr. WELDON (St. John). If my hon. friend will take Sir Robert Peel's Act, he will find that the House divested itself of the power by the appointment of the General Elections Committee. The judges of the land stand in the same position now as the select committee did. That General Elections Committee occupied the same position as a single judge who is put on the rota to try an election case stands in now. If he examines the matter, he will find that the judgment of the Elections Committee was as final and complete as that of a judge at the present day. Still we find the power exercised. Subsequent to the Act of 1868 in England, we find that the House of Commons exercised the right in the cases of Sir Sidney Waterlow, O'Donovan Rossa, Michael Davitt and John Mitchel. The second case of John Mitchel was brought before the courts, but not before Parliament. A petition was filed, and he died in the interval, and a motion was made to substitute the returning officer to go on with the petition. In the first case they declared the seat vacant, as they did in the case of O'Donovan Rossa. The Minister of Justice said these were cases of notorious disqualification, that they were civilly dead. If this were the only case, that contention would be very strong. But Sir Sydney Waterlow was not civilly dead. He was returned for the county of Dumfries. The petition was presented in the Court of Sessions in Scotland. That was abandoned, and he took his seat as the hon. member for Queen's has taken his seat. His disqualification was not notorious. It was a very doubtful question. He had simply incurred the penalties of all those having contracts with the Government. They might have said that if he chose to sit in the House, he might be left to suffer the penalties. The matter was brought up and referred to a special committee, and that committee reported that Sir Sydney Waterlow was disqualified, by reason of being connected with a contract, and the seat was declared vacant and a new writ issued. Now, this shows that the House of Commons was prepared at the proper time to carry out the law, and to purge the House of those who were not properly entitled to sit in it. Hon.

gentlemen opposite differ about our constitutional rights. We find the member for Albert (Mr. Weldon), a professor of constitutional law in Dalhousie College, entirely differing with hon. gentlemen opposite, with the hon. member for Queen's, N.S. (Mr. Freeman), who prides himself upon his knowledge. The hon. member for Albert admits that we had the right to apply the remedy, but he says it is a dangerous application of the remedy. Mr. Speaker, is it a dangerous application of the remedy when a returning officer has chosen to exercise a function which he has no right to exercise, that we should set the wrong right? The hon. member for Queen's, N.S. (Mr. Freeman), says that Mr. Dunn consulted lawyers. Sir, he had the law before him, and that law said that the man who had the majority of votes should be returned. Let him return that man, and let the courts decide whether he was right. But he takes it upon himself to act the judge and to place a man in the seat against the well understood wishes of the people of the county. The hon. member for Muskoka (Mr. O'Brien) admits that the returning officer did wrong and deserved censure, but, says, my hon. friend, I think the case ought to go to the election courts. Surely my hon. friend when he sat in this House, and when the case of King's, P.E.I., came up, had no conscientious scruples about the duty of the House upon that occasion; he did not refer that case to the courts. When the gentleman who then sat for Centre Huron in this House moved that the case should be referred to the Supreme Court for the opinion of the judges, I think we will find in the divisions against that motion the name of my hon. friend from Muskoka (Mr. O'Brien). In that case he felt that this House had full right to control the action of its returning officer, and to exercise jurisdiction in matters like this. But now, although he admits that a great wrong had been done, and that the minority candidate sits in this House, he finds that the matter must go to the courts. The hon. member for Albert said: Why do not the parties agree to go to the courts? The hon. member for Queen's, N.S., says: Why do not these gentlemen go to the courts? That we are not here to set to work and try cases. I say we are here to protect our own privileges, and it is the duty of this House, to use the language of the right hon. Premier, in the North Victoria case, not only to punish and censure, but to control the acts of a returning officer, a servant of this House. Now, Mr. Speaker, it is admitted that a great wrong is done, it is admitted that a gross violation of law was committed. The case is not here in the shape of an election petition, as was the case of North Victoria. But standing here we have the facts before us connected with this case, showing that Mr. King had the majority of votes and was entitled to be returned. Whatever may have been done on nomination day, as was done in the Mayo case, is another question altogether. We find that the returning officer undertook to perform his duty at the time of declaration, which is entirely distinct from the day of nomination. His duty was to sum up the votes and return the candidate who had the majority. He set to work and ignored that duty, and undertook to perform the functions of a judge. As I said on a previous occasion, he then did what no judge has a right to do, namely, to reverse his own judgment and to prevent the party who was fairly entitled to the seat from being returned, and depriving him of his rights. The Minister of Justice in replying to the hon. member for Bellechasse (Mr. Amyot), said the election was not over, there was a recount. But the recount was stopped by an order of the Supreme Court. As I said before, I am not going into an argument on the question of the jurisdiction of the Supreme Court, or on the authority of the judge. That matter is now before the court. It is practically of no utility, because we all know that even under the Act, Judge Steadman has now no power to go further. Moreover, we have got the ballots and the papers here, and we

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see by these papers that the man who was returned is not entitled to the seat. Sir, I say this is a case that ought to be considered free from party spirit. This is a matter affecting the rights of every elector in this Dominion, and it will create a precedent that after a poll has been granted and an election held, the returning officer can ignore the poll, can ignore the whole proceedings and return whichever candidate he chooses. We ought to be very careful what course we take at present, because our action to-day in this matter will be a precedent in future times. If this House ignores this fact, and says, practically, by its vote, that the returning officer had a right to do this, I think public opinion will pronounce a different verdict. The sitting member for Queen's, N.B., said to day that he was hounded by the press, alluding to the hon. member for St. John (Mr. Ellis) in no measured terms. Sir, I believe that if you look over the whole Conservative press of this Dominion that supports the Government, you will find, with very few exceptions, that it declares this act to be an outrage. Look at the *Evening Journal* last evening, a paper published in Ottawa which gives a support to the Government; that paper characterises this outrage in a very severe manner. Take the *Fredericton Farmer*, published in the city of Fredericton, one of the leading organs of the Conservative party in New Brunswick, and see what that paper says about it. I happen to have in my hand an extract from the *Sherbrooke Gazette*, a Conservative paper, commenting on this outrage, and I could not use stronger language:

"To hold that the House of Commons cannot amend the wrong publication of a return is to declare they have renounced all their powers over their officers. This is a new doctrine we can't recognise as a Conservative one. The musty old precedents, as one member called them, all point the other way. They were conservative precedents. They recognise a conservative principle which we can clearly understand and appreciate. When the House of Commons surrenders its powers, its privileges and its independence, and agrees to abide by the opinions of a credulous and ignorant returning officer rather than take his certificates of facts, it does not, to our mind, represent Conservative principles or Conservative practice, and we reprobate such a course with all the force we are capable of.

If that is a proper exposition of Conservative principles, and I believe it is, in this case it is not a party question in which the interests of Conservatives are involved, but it is an appeal to the sense of justice, of right, and of fair play on behalf of the electors of the constituency of Queen's, and a demand for the assertion of the rights and privileges of this House and that they are being trampled upon by the course which hon. gentlemen opposite sought to pursue; and, moreover, that the wrong done by the returning officer shall be righted, and that we shall do justice between the parties and place the majority candidate in his seat, and in that way show that a member of this House does not represent the minority of the electors of an electoral district, but the majority of the electors of the district of which he claims to be the representative.

Mr. MONCRIEFF. Hon. gentlemen opposite have stated twice already that hon. gentlemen on this side of the House will not vote according to their convictions, and I think it is due to myself, having some views upon this question, that I should express them to the House as briefly as possible. I agree with those hon. gentlemen who have already spoken who said that this should not be considered as a party question. We have heard charges made from the other side of the House to members on this side that we were making it a party question, and we have heard the insinuation that any one who votes in favor of the amendment of the Minister of Justice is being dragged along by the Government and not voting according to his conscience. I wish to say, as was said by the hon. member for Essex (Mr. Patterson), that I believe every member on this side will cast his vote as fairly and as independently as any hon. gentleman on the other side.

Mr. MITCHELL. I hope so.

Mr. MONCRIEFF. No one has a right to a seat in this House, and to exercise the powers with which the constituency has entrusted him, if he take any other course than an independent one on every question coming before the House. I agree with hon. gentlemen who have preceded me who say that it is repugnant to their idea of what is right, that any person being a minority candidate should occupy a seat in this House. But while I make that statement, I say it is also as repugnant to my sense of justice and right that any person holding the majority of votes in any constituency obtained by corrupt practices and bribery, should occupy a seat here; and when we find persons occupying seats in either of those two positions, we have to consider what the law has provided for those who are dissatisfied with the position of affairs. I may refer for a few moments to the condition of matters in England in years past. At that time election contests were decided by the whole House and not by a committee. It was acknowledged that whenever a dispute on a parliamentary return occurred, such was actually decided not upon right or wrong but according to the strength of the political party. I do not know that I could do better than read the remarks made by Lord Grenville, when he moved the Act referred to in the early portion of the evening, taking away the power from the body of the House and conferring it on a sworn committee. He said:

"Instead of trusting to the merits of their respective causes, the principal dependence of both parties is their private interest among us; and it is scandalously notorious that we are earnestly canvassed to attend in favor of the opposite sides, as if we were wholly self-elective, and not bound to act by the principle of justice, but by the discretionary impulse of our own inclination—nay, it is well known that in every contested election many members of this House, who are ultimately to judge in a kind of judicial capacity between the competitors, enlist themselves as parties in the contention, and take upon themselves the partial management of the very business upon which they should determine with the strictest impartiality."

Such was the condition of affairs when it was determined to take the power out of the hands of the House. I observe that this question has not been approached by hon. gentlemen opposite, with that spirit of impartiality which I think ought to have actuated them, and I judge from the strong expressions used, and from the prejudged expressions of those hon. gentlemen that I might not be astray in saying that if the shadow of Lord Grenville should come into this House of Commons and hear the remarks of hon. gentlemen opposite, it might well say that hon. gentlemen opposite were the reflection of a number of people who were in Parliament at Walpole's time, and on account of whose partisan conduct the Act to take away the trial of election petitions from the House of Commons was passed. Passing from that point, I may say that I was rather surprised to listen to hon. gentlemen opposite on the discussion of the amendment referring this matter to the Committee on Privileges and Elections. The committee were not spoken of in very complimentary terms by hon. gentlemen opposite, and I came to the conclusion from the expressions used that it was no great credit to belong to that particular committee. Let me state what one of the hon. gentlemen said in speaking of that committee. In opposing the submission of that question he said:

"We have had enough of election committees, we know what they are, and if it goes before the Committee of Privileges and Elections when will it get out, what report will it make?"

Another hon. gentleman said:

"What was the reason for sending this case to the Committee on Privileges and Elections? There can be only one result that is an effort to kill the proposal in some way or other."

Other hon. members followed in the same strain, well knowing who composed the committee. The expression of such views was an insult to the members of that committee. Such is the conduct of those hon. gentlemen when they do not desire a certain question to go

before the Committee on Privileges and Elections; but when it suits them for party purposes to make a reference, that committee is a very convenient place indeed. The very next motion that took place was one in regard to the Clerk of the Crown in Chancery.

Mr. MILLS. A proper reference.

Mr. MONCRIEFF. Excuse me for a moment; I will reply in a minute. Hon. gentlemen opposite have been condemning the Privileges and Elections Committee, and yet the very moment the case of the Clerk of the Crown in Chancery was presented, they moved that it be referred to that committee, which they had been for hours traducing. That may be consistency; it was not the consistency to which I had been accustomed before coming to Parliament. I presume, if I had been an old member like the hon. gentleman who interrupted me, I might have understood that that was the consistency of his own particular party. These interruptions, I may say, are generally a kind of relief, a post or chair upon which one can rest for a few minutes, and I thank him for the observation he has made. He says that such was a proper case to submit, and why? When this question of the returning officer came up, those hon. gentlemen stated that there was not a single question to leave to the committee, that everything was proved, and they ridiculed the idea of leaving it to a committee. Let me recall what the hon. gentleman said, when discussing the question with reference to the conduct of the Clerk of the Crown in Chancery, in which case he also claimed there was no doubt about the facts:

"I am inclined to think that if the Secretary of State and hon. gentlemen opposite had had the frankness to answer the question which I put to them a few days ago, perhaps the Secretary of State would have been able to tell us how it was that over a hundred members on that side were gazetted as the law directs, and that, out of ninety and over on this side, only fifteen were gazetted as required by law. We would be able to know why the law was in this respect so flagrantly disregarded, that the deliberation and design manifested, about which there can be no doubt, admit of no explanation but one—that the Clerk of the Crown in Chancery deliberately withheld the names of hon. members on this side from being gazetted immediately after they were returned."

So, Sir, this committee which hon. gentlemen were traducing in the early part of the Session was, in a few days afterwards, the very committee to whom they proposed to leave the question of the Clerk of the Crown in Chancery. The real question before us is whether, after the change of the law which was made in 1873, we should deal with election matters or leave them to the courts. I am expressly in favor of the report of the committee, for I believe this is just one of those questions which should be left to the courts to decide. If once we undertake to decide such a case here, we will establish a precedent for this Parliament assuming functions which it has delegated to the courts. That statute was approved by every gentleman in the House, and I think, after passing such an Act, it would be a most improper thing to infringe upon the functions which are handed over to the judiciary. The hon. member for Queen's county, P.E.I. (Mr. Davies), urged very strongly this evening, that the Prince Edward Island case was one which would justify this House in now interfering and making a change in this return. Upon that point I take issue with him at once, and I say that the decision in that case, is one which supports the contention of hon. members on this side in the present case. In that case three candidates contested the riding; McIntyre had the highest number of votes, Robertson had the next highest number, and McDonald the next, and a double or special return was made in which the circumstances were set forth. The difference between that case and this is that Mr. Robertson was disqualified, and, therefore, the case comes within the class with which this House has reserved to itself power to deal. He was disqualified because he was a member of a Provincial House. Let me call

your attention to the language of the Act which says that no member shall hold a double seat :

"If any member of a Provincial Legislature shall, notwithstanding his disqualification, as in the preceding section mentioned, receive a majority of votes at any such election, such majority of votes shall be thrown away, and it shall be the duty of the returning officer to return the person having the next highest number of votes, provided he be otherwise eligible."

That is just what we contend.

Mr. MILLS (Bothwell). Who decided that ?

Mr. MONCRIEFF. I will hand the book to the hon. gentleman in a few minutes. That case was one of disqualification, pure and simple. Then the hon. member for Queen's, P. E. I. (Mr. Davies) says that the Victoria, N.S., case applies. Why, Sir, that was a case not of changing a return, but of finding fault with the returning officer, because the case was then before the courts in another way. All the cases in England cited, that have any bearing upon this question, which were decided since the English Act was passed, were cases of disqualification, pure and simple. In the cases of John Mitchel, when he was declared elected first by acclamation, and afterwards, when he was returned against an opponent, the House simply declared the seat vacant, and you cannot find a case in which they unseated a member for disqualification and put another member in his place. They did not do it in the Mitchel case ; and if you read the case carefully you will find that the person contesting the constituency pasted hand bills all over the county notifying the electors that if they voted for Mitchel their votes would be thrown away, because he was a disqualified candidate. Under these circumstances, when the case came before the courts as a matter of law, for the purpose of having him unseated, the courts seated the other candidate, because it held that the voters had thrown away their votes. I feel then, as I said, that we should move cautiously in encroaching upon the powers that we have delegated to the courts. I think there is no doubt that this case comes within the letter of that Statute and that we have delegated to the courts of law the power of deciding it, for the simple reason, which is a good reason, that we ourselves are liable as human beings to act under partisan feelings, and that, in delegating the matter to the courts, who are not partisan at all, we are confident of a fair, just and proper decision from a proper tribunal. Under these circumstances I intend to support the amendment of the hon. Minister of Justice confirming the report of the Committee on Privileges and Elections.

Mr. LISTER. I will ask the indulgence of the House for a few moments to answer the hon. gentleman who has just spoken. I must, in the first place, express my amazement at the speech he has made and at the result of his investigation which he announced to the House, and I would ask that hon. gentleman whether the public expression he has given of his views in this case is the private opinion he has heretofore held and expressed to numerous members of this House. It appears to me that the hon. gentleman, although he seems to have taken much pains to have mastered the law and facts of this case, is exceedingly mixed. He does not appear to me to apprehend the case at all. It is not a question as to a controverted election ; it is not a question as to whether Mr. King or Mr. Baird was elected ; but it is a question whether this House has a right to correct a return of one of its own officers, which is manifestly incorrect. The logical conclusion of the argument of the hon. gentleman is, that the man who has received the minority of the votes in the county of King's is to sit in this House for the rest of the term ; because we have heard him confess to-day that, as soon as there is another list prepared, he will be in a position to resign the seat he holds here ; and the Minister of Justice the other day introduced a Bill

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whereby that gentleman will have the right to hold the seat, to which he has been wrongfully, illegally and fraudulently returned, for at least another Session of this Parliament. To decide in accordance with the argument of the hon. gentleman on that side means that we are adding insult to injury, that we are wronging the constituency of Queen's, and the man elected to represent that constituency, by allowing a person who has no right by law or justice to a seat in this House. No man could have witnessed that examination the other day, without entertaining a feeling of disappointment at the conduct of hon. gentlemen in this House. A man who has confessedly done the most grievous wrong that one man can do to another, a man who occupies a position of self-degradation, comes to this House and confesses it boldly and unblushingly at the Bar of this House, and he is cheered on by hon. gentlemen on the Government benches. I say that a more disgraceful scene was never witnessed in this or any other House claiming to have representative institutions ; and the hon. gentleman who has just sat down was one of the loudest in applauding the man in his disgraceful attitude. And we have today seen a man get up in this House and deliberately admit that he has wronged another man out of his seat, and he is cheered on by hon. gentlemen opposite. To his everlasting credit the hon. member for North Essex (Mr. Patterson) has taken a position which, as he said, will be approved of by people hereafter, if not in this House. I, for one, know that the Government have no stronger supporter in this House than that hon. member, and I say it is to his everlasting credit that he had the manliness to get up to-day and take the position he has done, not the ground of a pettyfogging lawyer who tries to minify the case with technical quibbles, but on the ground that will bear investigation that a wrong has been done and that it is the duty of this House to try to rectify it. What are the facts ? Is there anything for a court to decide here ? Is not the return of the returning officer on the Table, and does it not show that Mr. King has a majority of 61, and that he ought to be returned ? Does not the law command him to return the man who has the majority of votes ? He has been examined here, and he has admitted that Mr. King had the majority of the votes. Then it was his duty, in obedience to the statute law of this country, to return Mr. King as the member for the county of Queen's. He has not done that, although the evidence is that he ought to have done it. There are no witnesses to be examined ; there is nothing to be investigated, and all this House has to do is to say we will make right what he has omitted or neglected to do. The hon. gentleman says we should go to the courts. Go to the courts for what ? He knows that the time for going to the courts is past. He knows that Mr. King depended on the honor, the honesty, the spirit of fair play that ought to pervade this House to do what was right in the case before it ; but I am sorry to say he misapprehended the spirit of this House, as I believe the vote is going to show. My hon. friend talks about Mr. Robertson's case. This House undertook to investigate Mr. Robertson's case. It undertook to decide a question of law as to his disqualification, and it seated the man who had the minority of votes. If this House had no right to investigate that case, why did it do so ? But although it might be claimed that the House had no right to deal with it, in this case no such question can arise, because it is not a question of a controverted election, or a question of disqualification, but it is a question whether the return made by the returning officer is a true return and in accordance with the facts. According to his own evidence Mr. King ought to be the member of this House, and it is the duty of this House to correct that return and to say, the majority of the votes having been for Mr. King that gentleman's name should be inserted in place of that of Mr. Baird. I regret exceedingly that there should be any doubt at all on this question. I regret ex-

ceedingly that the Minister of Justice has taken the position he has. He would have occupied a high place in the estimation of the people of this country if he could have swept to one side the legal technicalities that he has raised, and taken that manly stand which would be approved of by the country if not by the House, and say that in all justice and fair play the man who was elected to represent Queen's county honestly and properly ought to have his name inserted in place of that of the man who is usurping the position.

Mr. GILLMOR. I am sure the House will bear with me for a few minutes. I do not rise for the purpose of arguing the question at all, but, being a friend of Mr. King, having been associated with him for some time here, coming from the same Province, I feel I ought to show myself on the side of justice and fair play. I think Mr. King will expect me, as an old acquaintance and political friend, to at least express my desire that justice should be done him. I am disappointed at the result that is likely to follow this discussion. I never, since the return of Mr. Baird was made for this House, believed this Parliament would allow Mr. Baird, who had the minority of votes, to keep his seat. I differed on that point with my friends around me, for I never, until now, fully believed that a majority of this House would commit such an act of injustice towards Mr. King as they appear about to commit. Judging from the general opinion expressed throughout the Dominion, in the press and in conversations everywhere, both of Liberals and Conservatives, that the case was a plain one and that Mr. Baird could be unseated, I felt satisfied that there was sufficient conscientiousness in the House to do Mr. King justice. I felt satisfied when, on the first introduction of this subject, the right hon. the First Minister got up and cautioned hon. gentlemen on this side not to introduce party feeling into the discussion, that the leader of the Government was about to do the fair thing and that Mr. King would be given his seat. To-day, however, appearances have somewhat changed. Hon. gentlemen opposite who, at the opening of the Session, appeared to be in favor of justice and fair play, and who indulged in most severe expressions with regard to the returning officer and all those concerned in this transaction, appear now to have somewhat changed in their views. My experience is that in matters of right first impressions are always correct, and the first impressions of hon. gentlemen opposite appeared to think that injustice had been done, since then they have thought the matter over, their party feeling has become aroused, and they appear inclined to take a different view. What appeared first to be glaringly unjust they now look upon with complaisance.

"Vice is a monster of such frightful mien,
That to be hated needs but to be seen,
But seen too oft, familiar with her face,
They first endure, then pity, then embrace."

Hon. gentlemen opposite have concluded to embrace the monster which they first despised. I am sorry such is the case. I do not want to say a word about the man who accepted the position. I would not like to make him feel worse than he does, if he is capable of feeling at all the position he occupies. I do not want to pour water on a drowned rat. I was reading an American paper yesterday, and, although the case may not be exactly parallel, it speaks of a certain official there who was found guilty of wrong-doing with regard to registration, and who is now in gaol at St. Louis. There was a petition to have him released, and the newspaper thus gives the result:

"WASHINGTON, May 24.—The President to-day denied the application for a pardon in the case of James J. Stanley, who was sentenced 13th April for fraudulent registration and sentenced to 90 days imprisonment in the gaol at St. Louis. The President endorsed the application as follows:—

"Denied. I cannot pardon a crime against the election laws, except it be in a case presenting unusually strong considerations for clemency. I consider such offences the worst of all crimes, and I know of none the punishment of which is more important to the public."

I am satisfied that the crime committed by the returning officer in Queen's county deserves just such treatment as that, and that is the opinion expressed by many of those who are going to vote here to send this case to the courts. I wonder how these gentlemen would like if, after having received a majority of votes, they were not declared elected, and were told to seek redress in the courts of law. Very few gentlemen elected to Parliament feel like going to court to establish their rights to their seats. Mr. King certainly should have a seat here; and I believed until now that the majority of this House would reverse the decision of the returning officer, and do justice to Mr. King. I do not wish to trespass on your time, Sir, by arguing the case. It is plain to every one that the returning officer should have returned the man who has received the majority of votes, and not the other man; and from what I have learned, I am satisfied Parliament has the right to consider this question. With regard to the legal lore displayed by the hon. the Minister of Justice, I must say, that instead of trying to enlighten the House on a question of law, he appeared to endeavor to mystify it, and obscure what, on its face, was plain. I had a suspicion, when I found the long delay to occur in the return, and saw that at last Mr. Baird was returned for the electoral district of Queen's, that the Minister of Justice had given his opinion in reference to that matter, and I am inclined to think so now. However, I must say that I am disappointed, for I thought I saw signs of a willingness to give fair play on the part of hon. gentlemen opposite. I thought that on this question they would exercise their honest convictions and listen to the still small voice of conscience. I do not want to charge gentlemen on the other side with a lack of conscience or a lack of conviction. It is enough for me to look out for myself; but I cannot understand it. In fact they admit that the whole thing is wrong, but they say Mr. King should go to the courts. Now, Mr. King has decided not to go to the courts. You all agree that the sitting member ought not to be the sitting member. Mr. King is not going to the courts and you are going to allow a man to sit here who ought not to sit here. That is the result, because Mr. King is not going to the courts for reasons which I suppose he knows. Perhaps he is not able; perhaps he has not the means. I do not wish to detain the House longer, but I thought I ought to say a few words in sympathy with my much respected friend King, who fought his battle nobly, who fought it manfully, and then after he had gained the seat it has been taken away from him by the returning officer.

Mr. HUDSPETH. The hon. member for Elgin stated that, if this was a case that should go to the court under the Controverted Elections Act, he and all hon. gentlemen on that side of the House had nothing to say against it. I understood that to be the proposition, but he said in this case there was nothing to go before a court, that the case was so plain that there could be no two opinions about it. I confess that I was very much of that opinion myself until I looked into the matter. The hon. gentleman who has just sat down said that with him first impressions are always the right ones. I think now that my first impressions were not the right ones. I was of opinion that this was a wrongful act. I am still of the opinion that this is a wrongful act, but I differ from hon. gentlemen opposite in regard to the remedy that should be applied. I think this is a case that should properly go to a court, and there is authority for; it and I think, even from what I have heard fall from the lips of hon. gentlemen in this House, it has been shown that a learned judge in the Province where

this matter has arisen has granted a rule *nisi*, showing that he was of opinion that a writ of prohibition should issue against a recount; and surely we must show some deference to the opinion of a judge, and must not come to the conclusion that there is nothing in this matter. I will trouble the House by giving them one case which fell under my notice this afternoon. It is the case of Monks and Jackson, reported in Law Reports, C. P. Div., Vol. 1, page 683, which was decided by Lord Chief Justice Coleridge and Mr. Justice Archibald. The municipal Elections Act provided that the nomination paper must be delivered to the town clerk by the candidate himself, or by his proposer or seconder, personally, and not by an agent, and the objection is one which is cognisable by the mayor, whose decision allowing it may be questioned on a petition against the return of the successful candidate. That is a very similar case to this one. The nomination paper, instead of being presented by the party himself, was presented by his agent, and Lord Chief Justice Coleridge, in giving judgment, says:

"I am of opinion that our judgment should be for the respondents. Mr. McIntyre admits that, if the decision is against him upon the fifth question, it will be useless to discuss the other points raised, because the election of the respondents cannot be questioned."

Then he goes on to state that the nomination paper shall be delivered by the candidate himself, or his proposer or seconder, and he winds up:

"The case, therefore, shows on the face of it that the petitioners were not duly nominated as candidates, and had no right to go to the poll, and that, if they had been elected, their election must have been set aside. I am clearly of opinion that the early part of 38 and 39 Vic., c. 40, sec. 1, sub-sec. 3, is imperative and not merely directory."

Mr. Justice Archibald agrees with this judgment, and goes on to say:

"The statute enacts that the nomination paper 'shall be delivered by the candidate himself, or his proposer or seconder, to the town clerk.' How the Legislature could more clearly indicate that the paper shall be delivered by the candidate himself, or by his proposer or seconder, personally, it is difficult to conceive. That part of the section is clearly obligatory, and is not complete with—by a delivery of the nomination paper to the town clerk by an agent."

When I read that case, I had grave doubts whether there might not be something in this matter, and whether the returning officer who, as we know, has acted under the advice of counsel, had not some grounds for acting as he has done. Lord Chief Justice Coleridge, the highest authority in England, has come to a similar conclusion. It seems a matter of small importance whether the nomination paper was handed in by the agent or by the candidate himself, but, because it was handed in by the agent, the Lord Chief Justice held that the nomination paper was bad, and the election was set aside; and further even than that, he held that, if the candidate had gone to the polls and had been elected, the election would have been set aside. So I think it is not clear of doubt, but that there is something to go to a court, and, that being conceded by hon. gentlemen opposite, I do not see why this case should be withdrawn from the courts any more than any other case of the kind. This House has relegated to the courts the right to try all cases arising out of elections, and I think we should not, without great hesitation, interfere with the law laid down by those hon. gentlemen themselves. That law I heartily approve of, because I think a court is the proper place where matters of this kind can be calmly and dispassionately disposed of, instead of being tried in a House where persons feel strongly on these matters. I shall, therefore, vote to sustain the report of the committee.

House divided on the amendment to the amendment of Mr. Davies (p. 683):
Mr. HUDSPETH.

YEAS :

Messieurs

Amoyt,	Edgar,	McMullen,
Armstrong,	Edwards,	Mallory,
Bain (Wentworth),	Eisenhauer,	Mills (Bothwell),
Barron,	Ellis,	Mitchell,
Beausoleil,	Fiset,	Mulock,
Bécharde,	Fisher,	Paterson (Brant),
Bernier,	Flynn,	Paterson (Essex),
Borden,	Gauthier,	Perry,
Bourassa,	Geoffrion,	Platt,
Bowman,	Gigault,	Préfontaine,
Boyle,	Gillmor,	Purcell,
Brien,	Guay,	Rinfret,
Burdett,	Hale,	Robertson (King's, P.E.I.),
Campbell (Kent),	Holton,	Robertson (Shelburne),
Cartwright (Sir Rich'd),	Innes,	St. Marie,
Casey,	Jones,	Scriven,
Casgrain,	Kirk,	Semple,
Charlton,	Landerkin,	Skinner,
Choquette,	Lang,	Somerville,
Cimon,	Langelier (Mont'ency),	Sutherland,
Clayes,	Langelier (Quebec),	Trow,
Cook,	Laurier,	Turcot,
Couture,	Lavergne,	Waldie,
Davies,	Lister,	Watson,
De St Georges,	Livingston,	Weldon (St. John),
Dessaint,	Lovitt,	Welsh,
Doyon,	Macdonald (Huron),	Wilson (Elgin),
Duchesnay,	McIntyre,	Yeo.—85.
Dupont,		

NAYS :

Messieurs

Audet,	Haggart,	Porter,
Bain (Soulanges),	Hall,	Reid,
Baker,	Hesson,	Riopel,
Bergin,	Hickey,	Robertson (Hastings),
Bowell,	Hudspeth,	Robillard,
Brown,	Ives,	Roome,
Bryson,	Jamieson,	Ross,
Cameron,	Kenny,	Royal,
Cargill,	Labelle,	Sykert,
Carling,	Landry,	Scarth,
Carpenter,	Langevin (Sir Hector),	Shakespeare,
Caron, (Sir Adolphe),	Macdonald (Sir John),	Small,
Chisholm,	MacDowall,	Smith (Sir Donald),
Cockburn,	McCarthy,	Smith (Ontario),
Colby,	McGulla,	Sproule,
Coughlin,	McDonald (Victoria),	Stevenson,
Coulombe,	McDougald (Pictou),	Taylor,
Curran,	McDougall (C. Breton),	Temple,
Daly,	McGreavy,	Thérien,
Daoust,	McKay,	Thompson,
Davin,	McKeen,	Tisdale,
Davis,	McLellan,	Tupper (Pictou),
Dawson,	McNeill,	Tyrwhitt,
Desaulniers,	Madill,	Vanasse,
Desjardins,	Mara,	Ward,
Ferguson (Leeds & Gren),	Marshall,	Weldon (Albert),
Ferguson (Welland),	Masson,	White (Cardwell),
Foster,	Mills (Annapolis),	White (Renfrew),
Freeman,	Moffat,	Wilmot,
Gaudet,	Moucreiff,	Wilson (Argenteuil),
Girouard,	Montague,	Wilson (Lennox),
Gordon,	Montplaisir,	Wood (Brockville),
Grandbois,	O'Brien,	Wood (West'm'land),
Guilbault,	Perley (Assiniboia),	Wright.—104.
Guillet,	Perley (Ottawa),	

Amendment to the amendment negatived.

On the amendment of Mr. Thompson (p. 677) :

Mr. MITCHELL. I have forborne to make any further utterances on this question than I made the other night, and although I am not going to inflict, at this hour of the night, a speech upon the House, I feel that I must rise and enter my protest against the humiliation which this Parliament has just been subjected to by the course pursued by the leader of the Government. It is too late to take up the time of the House with discussing the merits of the question upon this amendment. But, Sir, I hold the right hon. gentleman there, sitting opposite me, who leads this House, responsible for the act of humiliation to which he

has submitted a free Parliament. I am bound to accept the statement of hon. gentlemen sitting behind him who say that they vote according to their consciences, according to their judgment. It is right to concede that to them, and to accept their statements as they have given them, and I do accept them. But, Sir, we all know the position in which this House stands; we know that the right hon. gentleman assumes and exercises the power of dictating to this House, and of leading and influencing the men who sit behind him and have confidence in him. I say that in the long course of thirty-two years of parliamentary life that I have experienced, I have never witnessed an act so humiliating—an act which so degrades Parliament—which so subordinates the free interests and the free voice of the electors, as the decision which has just been arrived at of sustaining a man in his seat returned under such circumstances and having a minority of votes.

Some hon. MEMBERS. Question.

Mr. MITCHELL. You will get the question when I am ready. Subordinates them to the will of a single man such as this vote that he has led, that he has dictated, that he has forced upon this House. Sir, when the history of this country is written, the right hon. gentleman's name will be associated with this vote as an act—I will not designate it, because parliamentary rules prevent me from designating it by the name by which I think it is entitled to be named; but were I outside this House, and speaking of it, I would say: that act of the right hon. gentleman, the First Minister, which induced this House to pronounce as it has pronounced to-night, is an act of infamy.

Mr. DESJARDINS. I protest against the insult which the hon. member for Northumberland has offered to those members who have voted with the Government on this question. If we have been induced to vote to-day as we have done, it is due to the law that was enacted by the Liberal party, and not by the Government. It has been decided by Parliament that all contested elections should be decided by the tribunals. I do not know that we should undertake to create a precedent to please either the member for Northumberland or any hon. member on the left.

Mr. FISET. He has sold himself.

Mr. GUILBAULT. That is not true. That is blackguardly.

Mr. DESJARDINS. What is that you say?

Mr. GUILBAULT. It is not true. He has lied.

Mr. DESJARDINS. I want the hon. member for Rimouski (Mr. Fiset) to repeat what he has just said when I was speaking. If the hon. member does not dare to repeat what he said, it is an act—well, I do not know how to characterise it, but I would do so outside of the House. I say, Sir, that instead of being an act of infamy, as the hon. member for Northumberland characterised our vote, it is an act of independence. I do not care, I have been accustomed to the insults—

Mr. MITCHELL. Mr. Speaker, I rise to a question of order.

Some hon. MEMBERS. Sit down, sit down.

Mr. MITCHELL. I rise to a question of order. The question is this: The hon. member from Hochelaga (Mr. Desjardins) has imputed to me a statement alleging that he and hon. members who had voted with him, had committed an act of infamy.

Some hon. MEMBERS. So you did.

Mr. MITCHELL. I did nothing of the kind. What I said was this: that I was bound to accept the statement of hon. gentlemen that they had voted according to their consciences, and I did accept it, and I said that I placed the responsibility at the door of the right hon. gentleman who

led this House, and that history would record in the future that he was responsible for this act.

Mr. SPEAKER. The hon. gentleman was guilty of a bad example, which I am sorry should have been set by an old member of Parliament.

Mr. MULOCK. As I understand the hon. member for Northumberland is not allowed to speak at this stage, I move the adjournment of the House.

Mr. MITCHELL. To the Chair I will always bow with that respect and submission which are due to the head of an honorable body like this. But, Sir, I would like to ask wherein have I been out of order? I did not say that the hon. gentleman, the member for Hochelaga, who is so ready to take offence, on this occasion was guilty of an act of infamy. I will not say that he has taken this opportunity to take advantage of a remark which I made—not applied to him nor to any other hon. gentleman who supports the Government, but my remarks were applied to the right hon. gentleman who controls this House. The hon. gentleman may say what he likes about his independence. He may, as he says, be as independent as the member for Northumberland. He may be, Sir, but his conduct has not shown it.

Mr. SPEAKER. I must ask the hon. gentleman not to repeat the words which he has been using. I think that I was too indulgent at first in allowing them to pass.

Mr. MITCHELL. What words does the Speaker refer to?

Mr. SPEAKER. No hon. member in this House has a right to qualify a vote as an infamy.

An hon. MEMBER. He did not.

Mr. MITCHELL. I appeal now to this House who heard me—

Some hon. MEMBERS. Order, order.

Mr. MITCHELL. I am in order. I will speak my sentiments. I would like to put the hon. Speaker right in relation to this matter. I did not apply the word "infamy" to any individual. I appeal to the memory of hon. gentlemen in this matter. I said I would not designate from my place in the House the act of the right hon. gentleman as it deserved; but, I said, if I were outside of the House I would do so. I would like to know wherein I am out of order in that particular. I am strictly in order, and I would call upon the Speaker to withdraw the statement he has made, that I am out of order.

Mr. DESJARDINS. It is not permitted to insult a man who has voted and is not afraid of the consequences. But an hon. member says that he will repeat outside what he cannot state here. That is an insinuation that cannot be borne.

Some hon. MEMBERS. You said that yourself.

Mr. MITCHELL. You said it; I did not. I said were I outside the House I would speak of it in that way.

Mr. DESJARDINS. The law as laid down in the Controverted Elections Act provides that we must have recourse to the courts, and I think they are the proper tribunals to which we must refer these questions, especially when we see such a burst of passion as we have just witnessed in the judging of this case.

Sir RICHARD CARTWRIGHT. The hon. gentleman who has just spoken was good enough to state that he was only following the precedent set by hon. gentlemen on this side of the House. It is, I believe, quite true that the Liberal party did move to refer these cases of controverted elections from the very dubious tribunal which used to try them to the courts of law. But it is not true, the hon. gentleman was gravely misinformed, if he supposes

that the Liberal party had ever set the example or precedent of causing members of this House to be elected by partisans chosen by the Government of the day for such purpose; and I say, and I think that this is in order, that there never was a more indecent act committed than the act of the Government which chose the greatest partisan in the county as returning officer to return this candidate.

Some hon. MEMBERS. Order, order.

Mr. SPEAKER. I have already decided, I think it was no later than yesterday, that the word "indecent" applied to anything passing in this House, was out of order. I will repeat what I said yesterday, that I expect the leaders of this House to set an example in what I think is the right direction, viz., using strictly parliamentary language in the discussions.

Sir RICHARD CARTWRIGHT. You will observe, Mr. Speaker, that I did not apply the words to language used in this House, but to an act of the Government of this country done outside of this House, and I say I am strictly in order in so designating it.

Some hon. MEMBERS. Order, order.

Mr. SPEAKER. I must maintain my authority. I gave my decision yesterday on the very same ground. When the right hon. member for Kingston (Sir John A. Macdonald) used the word "indecent," and said he did not apply it to any member of this House, but to the measure or motion before this House, I declared it was unparliamentary; and now the hon. member for South Oxford (Sir Richard Cartwright) has just applied the word "indecent" to the conduct of the Government. I maintain that this is the same thing, and I call upon the hon. member to withdraw it, and I hope he will set a good example to the House.

Some hon. MEMBERS. Withdraw, withdraw.

Mr. CHARLTON. Mr. Speaker—

Some hon. MEMBERS. Chair, Chair; order, order; withdraw, withdraw!

Mr. CHARLTON. I should like to speak to the point of order.

Some hon. MEMBERS. Chair, Chair.

Mr. CHARLTON. I speak with all due deference to your decision, Mr. Speaker.

Some hon. MEMBERS. Chair, Chair.

Mr. SPEAKER. I have rendered my decision. I have called upon the hon. member for South Oxford to withdraw his expression, and I maintain, unless there is a motion to reverse my ruling, no one can discuss it now.

Mr. CHARLTON. I rise for the purpose of moving to reverse your decision. I wish to say in speaking to this motion that—

Some hon. MEMBERS. Order, order.

Mr. CHARLTON. I wish to say, in regard to this matter, that it strikes me that liberty of speech in this House will be sorely and dangerously abridged if members are not permitted to characterise the conduct of the Government with respect to its actions outside of this House by some such word as indecent, wrong or improper. If such word cannot be used it strikes me it will be wrong.

Mr. McNEILL. This is insulting to the House. The hon. gentleman is insulting the Chair.

Some hon. MEMBERS. Withdraw, withdraw; Chair, Chair.

Mr. CHARLTON. While I believe in the utmost courtesy of expression with respect to members of this House and as regards their conduct in this House, I believe the utmost latitude should be given as to expressions with res-

Sir RICHARD CARTWRIGHT.

pect to the conduct of the Government outside of the House, and our liberty will be seriously abridged if members are deprived of properly characterising the acts of members of the Government outside of this House. I believe such a restriction is one that would be fatal to debate.

Mr. DESJARDINS. I rise to a question of order.

Mr. CHARLTON. The discussion of public questions is too important—

Some hon. MEMBERS. Order, order.

Sir JOHN A. MACDONALD. The rule of Parliament is clear, that when the Speaker of the House announces his decision, and there is an appeal from it, it must be made at once.

Mr. DESJARDINS. And without discussion.

Mr. LAURIER. I understand that you have ruled Mr. Speaker, that the expression used by the hon. member for South Oxford (Sir Richard Cartwright) is unparliamentary. As a humble member of this House I bow to your ruling, though I believe if I were allowed to discuss it, perhaps the words might appear in a different aspect.

Mr. DESJARDINS. No discussion.

Mr. LAURIER. Perhaps it might be a subject of debate as to whether, if the Government is censurable, it may not be censured; but as you, Mr. Speaker, have ruled the word out of order, I think it would be an act of grace on the part of the hon. member to withdraw it.

Sir JOHN A. MACDONALD. Grace!

Mr. LAURIER. Perhaps the word grace is not the word I intend to convey; what I mean to say is that it would be a gracious act on the part of my hon. friend.

Sir RICHARD CARTWRIGHT. I am informed, Mr. Speaker, that you ruled somewhat in the same direction, though I was not present, as regards the First Minister; and no doubt your position is so difficult a one, and it is so desirable you should be maintained here, that I will waive my own judgment and opinion in deference to yours on this occasion; and I am willing, in obedience to your ruling, which I suppose you will record, to withdraw, and I do withdraw the word "indecent" under these circumstances.

Mr. LANGELIER (Montmorency). (Translation.) Mr. Speaker, as we are now dealing with questions of order, I believe I have a right to call the hon. member for Joliette (Mr. Guilbault) to order. He has used expressions just as unparliamentary, to say the least, as those used by the hon. member for Northumberland (Mr. Mitchell). The hon. member for Hochelaga (Mr. Desjardins), has shown himself as touchy, with regard to the language used by the hon. member for Northumberland (Mr. Mitchell), concerning the Premier, that I did not recognise that same hon. gentleman whom I had occasion to hear, not very long ago at a public meeting held in the county of Levis, speaking of the same man, of the hon. Premier—

Mr. SPEAKER. Order.

Mr. LANGELIER (Montmorency). (Translation.) What is the point of order?

Mr. SPEAKER. That has nothing to do with the question now before the House nor with the question of order which has been raised.

Mr. LANGELIER (Montmorency). (Translation.) If speaking of matters which took place outside of the House is to be allowed, I do not see why I should not have the same right as other members. I am now explaining the question of order which I have raised. I was saying that the hon. member for Hochelaga (Mr. Desjardins) has used a much more extraordinary language than that which he

charges the hon. member for Northumberland (Mr. Mitchell) with having used. On the occasion to which I refer he charged the hon. Premier with having commenced his career by the light of an incendiary fire of the Parliament Buildings, Montreal, and with having finished it on the scaffold at Regina.

Some hon. MEMBERS. Order, order.

Mr. GIROUARD. (Translation.) I rise to a question of order. The question is not whether the language used by the hon. member for Hochelaga (Mr. Desjardins) outside of this House was parliamentary or not. That has nothing to do with the question.

Mr. WELSH. Mr. Speaker, as everybody else is jumping up I would like to rise. I bow to your ruling. You have condemned the word "indecent" several times to-night. Now, if I was to apply the word "indecent" to any matter brought to this House, I hope you would not condemn me. I think Mr. Dunn's action in this matter was very indecent; I believe Mr. Baird's action in taking the seat is very indecent. I do not know whether I am out of order or not, but I am going to say the Government's action is indecent.

Mr. DAVIS (B.C.) I would like to have this question brought before the House. I would like if somebody would get up and say what we are talking about. Let us take a vote on this thing, and let us have done with it.

Sir DONALD SMITH. I cannot help saying that I think it is a matter for very great regret that the hon. member for Northumberland (Mr. Mitchell), should so far forget himself—

Some hon. MEMBERS. Oh, oh.

Sir DONALD SMITH—should so far forget himself and what is due to hon. members of this House, as to attribute to others less honorable motives than those which are presumed to actuate himself; and I think if anything were wanting to justify the vote given by gentlemen on this side of the House, and by some on the other side of the House, and by myself among them, it will be found in the exhibition of unseemly—I will not say indecent—passion which has been displayed by that hon. member on this occasion, and by some others in this House. I think that that exhibition proves beyond anything else that those who voted, as we voted on this side of the House, were right in desiring that the matter should be so placed that it could be judged of judicially, and without such an exhibition of feeling as we have witnessed.

Mr. MITCHELL. Mr. Speaker—

Some hon. MEMBERS. Spoke, spoke.

Mr. MITCHELL. I have the right to make an explanation—

Some hon. MEMBERS. Spoke, spoke.

Mr. MITCHELL. I will let no hon. member of this House get up and place words in my mouth that I have not uttered. I said distinctly, in my references to this matter, that the House had received explanations from hon. gentlemen—from almost every one who spoke—disavowing any influence beyond their honest convictions, and I said that I accepted these statements. These are the words I used—I accepted these statements.

Some hon. MEMBERS. No, no; hear, hear. He did.

Mr. MITCHELL. But I said I placed at the door of the right hon. gentleman who leads the House,—

Mr. CAMERON. You had no right to do so.

Mr. MITCHELL—the hon. gentleman who leads this House and rules this country, the vote that was given to-night.

Some hon. MEMBERS. No, no.

Mr. MITCHELL. Therefore, I can tell the hon. member for Montreal West (Sir Donald Smith) that he is imputing to me expressions and statements which I never made or applied to any hon. gentleman who voted behind the right hon. gentleman. But I imputed to the right hon. gentleman the consequences which I named—I will not name the words again—but I said if I was out of the House I would designate it by that name, and, therefore, I am not liable to the censure of the hon. member for Montreal West.

Sir DONALD SMITH. May I ask the hon. member for Northumberland did he not say, or say in effect, that hon. members who voted as I did myself, had done so at the dictation of the Government?

Mr. MITCHELL. I did not say that, Sir.

Some hon. MEMBERS. Oh, oh.

Mr. MITCHELL. Whatever I may have thought I did not say it. What I did say was what I repeated a few minutes before, that while I accepted the explanations of hon. gentlemen and was bound to believe what they stated, I placed at the door of the right hon. gentleman the consequences of this act, and I said that it would go down, with the name I gave it, to posterity.

Mr. LISTER. The hon. member for Montreal West (Sir Donald Smith) is the last man in this House to turn round—

Some hon. MEMBERS. Order, order.

Mr. LISTER. We all remember, a few years ago, when that hon. gentleman sat on that side of the House, supporting Mr. Mackenzie, and we remember also that the First Minister told him on one occasion that he could "lick him quicker than hell could scorch a feather."

Sir DONALD SMITH. The member for Montreal West—

Some hon. MEMBERS. Order, order; spoke.

Sir DONALD SMITH. If I may be allowed I would say that the member for Montreal West, my humble self, is not ashamed of any vote he gives in this House, and he believes he votes conscientiously according to what he thinks is right. He would repeat that on this occasion he believes that in voting to take this matter out of such an arena as we have seen this to be this evening, as he has done with others, he has done what is right. Further, if I may be allowed one word—

Some hon. MEMBERS. Spoke, spoke.

Sir DONALD SMITH. By the grace of the House I would—

Some hon. MEMBERS. Order, order.

Mr. SPEAKER. The hon. gentleman is called to order, and as he has spoken several times already I am obliged to call him to order.

House divided on amendment of Mr. Thompson.

Y^{ES} :

Messieurs

Audet,
Bain (Soulanges),
Baker,
Bergin,
Bowell,
Brown,
Bryson,
Burns,
Cameron,
Cargill,

Guillet,
Haggart,
Hall,
Hesson,
Hicky,
Hudspeth,
Ives,
Jamieson,
Kenny,
Labelle,

Perley (Ottawa),
Porter,
Reid,
Riopel,
Robertson (Hastings),
Robillard,
Roome,
Ross,
Royal,
Rykert,

HOUSE OF COMMONS.

THURSDAY, 2nd June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

ST. MARTIN'S AND UPHAM RAILWAY COMPANY.

Mr. SKINNER. The Committee on Standing Orders reports that there has been no notice given with reference to the Bill to authorise the St. Martin's and Upham Railway Company to sell their railway. I wish to state a few facts in connection with the matter, and then move for a suspension of the 51st rule in relation to the publication of notices. This railway runs from Upham to St. Martin's, on the seashore in the county of St. John, a distance of about thirty miles. The railway is not in successful operation to the extent to which the people of the locality hoped it would be, and the company, acting in the interest of the concern, had made arrangements for the sale of the road to another company. The other company to which it was contemplated to sell the road obtained legislation at the last Session of the Legislature of New Brunswick, to enable them to buy railroads in the Province, and it was thought that that legislation would be sufficient to enable that company to buy the St. Martin's and Upham Railway. But, after the arrangements were thought to have reached a consummation, it was found that the St. Martin's and Upham Railway Company had not the power to make the sale. They had the power to lease their line for 999 years; they had also the power to mortgage the road absolutely, and, of course, the creditors could seize it under an execution; but the present opportunity of making the sale will be lost if the company cannot secure that object in a more direct way; and, inasmuch as it is impossible for them, since they discovered the defect, to give the notice, they have no other means than to come before this Legislature and ask for liberty to get the charter amended to the extent of enabling them to sell the road. It is a common power with reference to other railways in New Brunswick, but it does not seem to have been included in the charter to this company when the Local Legislature granted that charter. The Bill will be so framed that no person and no company can run any risk of loss in any way; creditors will be protected, and every person will be protected. It is only a simple amendment to the charter to enable them to sell at this present time. I, therefore, hope that—seeing that there are other members of this House from that locality who are able to give the same guarantee which I am able to give, that no injury can possibly arise to any person, but that care will be taken to protect the interests of all concerned—the House will consent to the suspension of that rule and allow the Bill to come in. I, therefore, move, as I understand this is the correct mode:

That the report of the Standing Committee on Standing Orders relating to the Bill to authorise the St. Martin's and Upham Railway Company to sell their railway and property, be referred back to that committee for reconsideration.

Mr. WOOD (Brockville). The Committee on Standing Orders are guided by certain rules, as to which there is no discretionary power in the committee whether they should be rigidly enforced or not. Hon. members are aware that the only notice the public have of the promoters of a measure coming to this House for any legislation, is the notice which appears in the official *Gazette* and the local papers. The practice, as I read it, not only here, but governing the committee in England, is that, if the requirements of the rule are substantially complied with, that is sufficient. But, in this case, the committee found there had not been an attempt to comply with the requirements of the rules, and

Carling,	Landry,	Scarth,
Carpenter,	Langevin (Sir Hector),	Shakespeare,
Caron (Sir Adolphe),	Macdonald (Sir John),	Small,
Chisholm,	MacDowall,	Smith (Sir Donald),
Cockburn,	McCarthy,	Smith (Ontario),
Colby,	McOulla,	Sproule,
Coughlin,	McDonald (Victoria),	Stevenson,
Ooulombe,	McDougald (Pictou),	Taylor,
Curran,	McDougall (C. Breton),	Temple,
Daly,	McGreevy,	Thérien,
Daoust,	McKay,	Thompson,
Davin,	McKeen,	Tisdale,
Davis,	McLelan,	Tupper (Pictou),
Dawson,	McNeill,	Tyrwhitt,
Desaulniers,	Madill,	Vanasse,
Desjardins,	Mara,	Ward,
Ferguson (Leeds & Gren),	Marshall,	Weldon (Albert),
Ferguson (Welland),	Maason,	White (Cardwell),
Foster,	Mills (Annapolis),	White (Renfrew),
Freeman,	Moffat,	Wilmot,
Gaudet,	Moncreiff,	Wilson (Argenteuil),
Girouard,	Montague,	Wilson (Lennox),
Gordon,	Montplaisir,	Wood (Brockville),
Grandbois,	O'Brien,	Wood (Westm'land),
Guilbault,	Perley (Assiniboia),	Wright.—105.

NAYS:

Messieurs

Amyot,	Edgar,	McMullen,
Armstrong,	Edwards,	Mallory,
Bain (Wentworth),	Eisenhauer,	Mills (Bothwell),
Barron,	Ellis,	Mitchell,
Beausoleil,	Fiset,	Mulock,
Bécharde,	Fisher,	Paterson (Brant),
Bernier,	Flynn,	Patterson (Essex),
Borden,	Gauthier,	Perry,
Bourassa,	Geoffrion,	Platt,
Bowman,	Gigault,	Préfontaine,
Boyle,	Gillmor,	Purcell,
Brien,	Guay,	Rinfret,
Burdett,	Hale,	Robertson (King's, PEI),
Campbell (Kent),	Holton,	Robertson (Shelburne),
Cartwright (Sir Rich'd),	Innes,	Ste. Marie,
Casey,	Jones,	Scriver,
Casgrain,	Kirk,	Semple,
Charlton,	Landerkin,	Skinner,
Choquette,	Lang,	Somerville,
Cimon,	Langelier (Mont'rency),	Sutherland,
Clayes,	Langelier (Quebec),	Trow,
Cook,	Laurier,	Turcot,
Couture,	Lavergne,	Waldie,
Davies,	Lister,	Watson,
De St. Georges,	Livingston,	Weldon (St. John),
Dessaint,	Lovitt,	Welsh,
Doyon,	Macdonald (Huron),	Wilson (Elgin),
Duchéanay,	McIntyre,	Yeo.—85.
Dupont,		

Amendment agreed to.

Main motion, as amended, agreed to on the same division.

ADDRESS TO HER MAJESTY.

Sir JOHN A. MACDONALD. I move that the Address from the Senate, congratulating Her Majesty upon the completion of the 50th year of her reign, be taken into consideration on Friday next.

Sir RICHARD CARTWRIGHT. Has any special day been selected to be proclaimed as a holiday, throughout the Dominion, for the celebration of Her Majesty's jubilee?

Sir JOHN A. MACDONALD. The 21st of June has been fixed as the day. I am under the impression that the proclamation has been issued.

Motion agreed to.

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

Motion agreed to, and House adjourned at 2:25 a.m., (Thursday).

Mr. SPEAKER.

there was nothing left to them but to report to this House as they did. I believe the committee have no objection to reconsider the matter and suspend the 51st rule of this House, because that is the only way in which the case can be met. I desire, however, to take this opportunity to beg hon. members of this House in the future, or so long as this Parliament exists, to see that there will be at least an attempt to comply, in a substantial way, with the requirements of the rules of Parliament, because otherwise it becomes a very difficult matter for the committee to do anything else than they have done in this case.

Sir JOHN A. MACDONALD. I quite agree with my hon. friend, the chairman of the Committee on Standing Orders, that there should be some attempt, some substantial attempt, made to carry out the regulations and the rules of Parliament, and to give the requisite notice in reference to private Bills. There are so many interests, individual or collective, which may be involved in every private Bill, that it is not fair that a Bill should be promoted or pressed through Parliament without an opportunity being given to every person who may be interested, immediately or remotely, in the Bill to defend his own interests. I do not know anything about this measure, except the name, which says it is a Bill to authorise a certain railway company to sell their railway. I do not know what evidence will be laid before the Committee on Standing Orders or the Committee on Private Bills, but certainly I should say that every shareholder ought to be consulted, and I think the creditors also should be consulted, and their approval obtained before such a measure could properly pass through Parliament. Here is a measure which, according to the name, gives the power to the directors to sell the railway. That is a very extensive order indeed.

Mr. SKINNER. One of the objects of making this sale is to meet one of the points referred to by the right hon. the Premier, that is, to pay off the creditors. We intend to have this amply protected in every particular, to see that every creditor is protected, and that the consent of the stockholders is obtained as well.

Mr. WELDON (St. John). This was a local Act. They presumed there was no difficulty, in regard to the Act passed last year, for the new company to make the arrangements; but it appears that this company comes under the general clause introduced some years ago into this House, and is a railway for the general advantage of Canada, and, therefore, it is considered that it would come under the control of the Dominion. Considering the great interest that parties have in this measure, I think it forms an exceptional case.

Mr. O'BRIEN. I think the motion now in your hands hardly answers the purpose. What is the use of referring this Bill back to committee for further consideration? We have given all the consideration we can, and we find no reason whatever for suspending the rule. If the House chooses to direct us to suspend the rule, of course we will obey the mandate. I, as a member of that committee, am not going to reverse the conclusion I arrived at this morning, and refer this Bill back for reconsideration. If the House is willing to assume the responsibility of saying the rule ought to be suspended, let it do so; but merely to refer it back for reconsideration, seems to me a useless proceeding.

Mr. SKINNER. One word in explanation. When I drew the resolution, I put in the words "and that the committee be requested to report in favor of a suspension of the rule." But it was thought at the Table that probably I had better not leave that in, though now, if the House is willing, it might be wise to allow these words in the resolution as I originally drew it, and that will satisfy the committee,

Sir JOHN A. MACDONALD. We do not know anything about the Bill; we have not got the facts before us. The Bill has not been discussed; and how can we instruct the committee to do a thing which may be a great wrong?

Mr. O'BRIEN. There is a case before us now—the South-Eastern Railway Company—where a very substantial notice had been given, and yet the rule of the committee had not been complied with. It was a very much clearer case than this; in fact, it was one in which exception might fairly be taken. Yet what did we find? Although we were sure, when that Bill was before the committee, that all private rights would be protected, this House has been flooded with petitions with reference to that measure. Yet, here we are asked to pass, without a single notice, a Bill which may be, apparently, a very important one. I say if the House is willing to direct us to suspend the rule, I, for one, will obey it, but I will not vote to send the Bill back to committee merely with a request to reconsider it, because that would be a mere waste of time.

Motion agreed to.

BILLS WITHDRAWN.

Bill (No. 23) to incorporate the Emerson and North-Western Railway Company.

Bill (No. 28) to incorporate the Brandon, Souris and Rock Lake Railway Company.

Bill (No. 36) to incorporate the New Westminster Southern Railway Company.

Bill (No. 37) to incorporate the Regina and Wood Mountain Railway Company.

Bill (No. 56) to incorporate the Alberta and British Columbia Junction Railway Company.

Bill (No. 70) to incorporate the Alberta Railway Company.

REPORT.

Annual report of the Department of Fisheries, for the year 1886.—(Mr. Foster.)

DOMINION CONTROVERTED ELECTIONS ACT.

Mr. THOMPSON moved for leave to introduce Bill (No. 126) to amend the Dominion Controverted Elections Act. He said: The object of this Bill is to meet any inconvenience which has been found to exist in the Province of Ontario, by reason of a large proportion of the petitions being filed in one division of the High Court of Justice and in the Court of Appeal. This is to enable the judges of the High Court of Justice to make a distribution of the petitions among the various judges.

Sir RICHARD CARTWRIGHT. I would like to ask the Minister of Justice if he proposes, in amending the Controverted Elections Act, to take greater precaution by which, what I suppose I may call, without any impropriety, the scandal caused by the irregularity of the *Gazette* returns may be corrected in future, because, if not, I would commend that matter to his attention; and, also, I think that he may profitably direct his time to seeing whether such matters as those that we were discussing last night might not be prevented from occurring in future.

Mr. EDGAR. I would like to ask the Minister of Justice if the judges of the courts of Ontario have suggested this division?

Mr. THOMPSON. Various suggestions in this direction have been made by three judges, and the arrangement made by the Bill seems to be the most convenient of those which were suggested.

Mr. MITCHELL. I would like to know whether it is intended, by any provision of this Bill, to prevent political partisans being employed by the officer who makes up the list? In my county a notorious partisan was employed as clerk of the revising officer. I think there ought to be some provision in the Bill by which any person who is secretary of a Liberal-Conservative association, or a Liberal association, or even an association connected with the third party, should be considered disqualified for holding that office.

Mr. MILLS (Bothwell). I would like to ask the Minister of Justice whether he proposes that election trials should be held by a single judge, as at present?

Mr. THOMPSON. There is no change in that respect.

Mr. MILLS. I would suggest, whether it would not be well that a change should be made in that respect under the Controverted Act. The court is held by two judges instead of one, and, I believe, on the whole, it is much more satisfactory. Certainly there is greater uniformity in the rule by which the conduct of a court is governed where there are two judges than where it is held by a single judge. There is a great difference in the views taken by judges with regard to the procedure under the Controverted Elections Act, and certainly there would be more uniformity were two judges to sit. I may say, further, that the public have greater confidence in the proceedings of a court where there are two judges.

Motion agreed to, and Bill read the first time.

NORTH-WEST TERRITORIES ACT.

Mr. THOMPSON moved for leave to introduce Bill (No. 127) to amend the North-West Territories Act. He said: The North-West Territories Act, which was passed last Session, and under which the Supreme Court for the Territories was established, made no provision for appeals then pending before the Court of Queen's Bench of the Province of Manitoba, as it was understood, on the information we then had, that there were none pending. It has been found that there were appeals undisposed of, and I introduce this Bill to meet the case.

Motion agreed to, and Bill was read the first time.

CUSTOMS AND EXCISE TARIFF.

Mr. RINFRET asked, Whether it is the intention of the Government, in view of the changes which have taken place each year since the Session of 1879, in the levying of the duties of Customs and Excise, to publish and distribute the tariff of the duties of Customs and Excise as it now stands?

Mr. BOWELL. It is the intention of the Government, as soon as the Bill is passed, to publish it for distribution in the usual way.

DURANTAYE SENATORSHIP.

Mr. CHOQUETTE asked, Whether application was made by any person besides the Honorable J. J. Ross for the position of the late Honorable J. C. Chapais as Senator for the Division of La Durantaye? If such application was made, then by what person or persons?

Sir JOHN A. MACDONALD. Whether application were made or not is a matter of no public interest, and the Government does not think this question should properly be answered.

KENNEBEC SENATORSHIP.

Mr. CHOQUETTE asked, Whether application was made by any person besides the Honorable P. Fortin for the po-

Mr. THOMPSON.

sition of the late Honorable Mr. Cormier as Senator for the Kennebec Division? If such application was made, then by what person or persons?

Sir JOHN A. MACDONALD. Same answer as to the last question.

RIVER TRENT BOOMS AND PIERS.

Mr. MALLORY asked, Is there an officer or appointee of the Government whose duty it is to keep booms and piers in order in the River Trent between Rice Lake and Trenton? If so, what is his name and salary, and is it part of his duty to repair those piers and booms if carried away by freshets or other causes?

Sir HECTOR LANGEVIN. There is such an officer. His name is R. B. Rogers. His salary, paid by the Department of Public Works, is \$600 per annum. It is part of his duties to have piers and booms repaired, after he has been authorised by the Department to do so.

PRINCE EDWARD ISLAND SUBSIDY.

Sir CHARLES TUPPER. I beg leave to move that, tomorrow, the House resolve itself into Committee of the Whole to consider the following resolution, and to say that I have the assent of the Crown to this resolution:—

Resolved, That from and after the first day of July, one thousand eight hundred and eighty-seven, there shall be paid to the Province of Prince Edward Island, in addition to all other subsidies and allowances now paid to the said Province, an annual allowance or subsidy of twenty thousand dollars, which additional allowance or subsidy shall become payable and be paid to the said Province half-yearly in advance, on the first days of July and January in each and every year, beginning with the said first day of July, one thousand eight hundred and eighty-seven.

Motion agreed to.

HIGH COMMISSIONERSHIP.

Mr. MILLS. I would ask the hon. Minister of Finance if he has brought down the papers relating to the commission of the High Commissioner?

Sir CHARLES TUPPER. I was not in the House when the hon. gentleman spoke of it. I will bring them down to-morrow.

SUPPLY—9TH BATTALION, QUEBEC.

Sir CHARLES TUPPER moved that the House again resolve itself into Committee of Supply.

Mr. AMYOT. Yesterday I had the honor to ask the Minister of Militia for the letter ordering the 9th Battalion to suspend its drills, and for the reasons why they were suspended. The hon. gentleman answered that he did not know whether the reasons had been communicated to the battalion, but that they were contained in the letter addressed to me. I beg to deny that statement. I do not think the Minister made it in bad faith, but, as a matter of fact, I deny it and I challenge him to bring down the papers to show the contrary. On that point, I may say the 9th Battalion had obtained the right of making their annual drill during the season of 1886-87, and they had begun to do so. Three drills were made, when order was received purely and simply to suspend the drill. That order was an insult to the battalion. No reason was given, no communication was addressed to me or any of my officers, that I heard of, giving the reasons for this most extraordinary order. A few days later we received permission to go on again, still without explanation whatever. We were treated more harshly than we treat our servants, because, generally, when a servant is at work in the interests of his master, he is not ordered to suspend without being given the reasons why. I also asked a

question yesterday whether General Strange had made a report of the North-West Expedition, as to the part taken therein by the 9th and 65th Battalions. The Minister replied that all that had been received from General Strange had been published in the report in the annex A and B, though everybody knew that General Strange had published in the press of the country, under his own signature, and stated most emphatically that he had sent to the Department reports concerning the 9th and the 65th, and the share they had taken in the suppression of the rebellion, and that those reports were not contained in the official reports. More than that, I was asked myself by General Strange to make a general report as to the usefulness of the 9th Battalion in the North-West. I sent in that report, and I have never seen it since. I would say, in the third place, that the 9th and 65th are almost absolutely ignored in the official reports; in fact, twenty years from now the generation then living will hardly know there were two French Canadian battalions in the North-West. What the 9th was doing there, we do not know from the official reports. It was scattered over the country, being divided into five detachments, and was placed among the most warlike Indians and exposed to great danger; and the 65th took part in some of the battles in a most gallant manner, but that does not appear in the reports. The truth is, there seems to have been a decided plan agreed upon, I do not know where, to completely ignore those two battalions. Moreover, for my part, since I had the misfortune of differing in opinion with the Minister of Militia on the Riel question, his treatment of my battalion has been most severe. Not only does he make my position a difficult one, not only does he abstain from publishing any report concerning the battalion; but he wants us now to pay an almost fabulous amount under very extraordinary circumstances. I do not intend to discuss the account, but if the House will permit me I will give an idea of the way we are treated. It is a well-known fact that when the battalion came back from the North-West we were covered with laurels, there were no words sufficient to recognise our services. Not a syllable of complaint was uttered against the 9th. Everywhere we had been doing our duty and carrying high the flag of the Canadian nation; everywhere soldiers and officers had proved equal to their task. We received congratulations everywhere. But the day came when the commander of the 9th, who happened to be a member of this House, differed in opinion with the Minister of Militia, and then everything changed. When we arrived home there were some accounts still to settle. We contended that the Department owed us money, and we sent in our accounts. We received no answer. But more than a year afterwards—we arrived home in July—this was in November, 1886—while I was still expecting a letter in reply to the accounts we had sent, I received a letter of which the following is a translation:—

“QUEBEC, 11th November, 1886.

“SIR,—I have the honor to request you, in conformity with orders received from the Major General Commanding—

This is a very useful man to act as cover for the Minister—

“—to have deposited with the shortest delay, to the credit of the Receiver General, the amount of \$1472.83, and to give an account of the rations which have been furnished to you at Calgary by Mr. McGibbon for the use of your battalion when going to Quebec, and, moreover, to liquidate with your officers the balance of the respective amounts which are due them by you, and which amount to the sum of \$93.54.”

As to the last part of the letter, I must declare at once that I do not owe, and have never owed, a single cent to the officers of my battalion, and this is a gross insult made under cover of the Major General Commanding. As to this most extraordinary claim of \$1,472.83, I had never received any account whatever or any details whatever. This

came to me as a thunderclap without notice, without any intimation whatever. I was requested to pay right off \$1,472.83. I then asked for some details, stating, at the same time, that I never had any suspicion whatever that I owed a cent to the Department. In answer to such letter I received this famous account. The account is a voluminous one, and I will not go into the details. It is all based on suspicion; there is not a single item based on a voucher or on a single fact. The Department had employed officers during months and months at high salaries to find out accounts against the officer commanding, and the other officers, of the 9th Battalion. In that account there is a most extraordinary item. You know, Mr. Speaker, that we were at the foot of the Rocky Mountains. When my battalion was scattered all over the plain, without any instructions being given to me or any power given to me in the event of any occurrence happening, we received from the Minister of Militia, who was then on very friendly terms with me, permission to go through the Rocky Mountains, and the Canadian Pacific Railway Company had been kind enough to furnish us with gratuitous transportation. We were most thankful for that trip, and we went through the mountains as far as we could reach. We came back to Winnipeg, and there we remained and made a parade for the benefit of somebody. I wired the Minister over and over again, telling him it was most absurd to detain us there. His answer was that we would not be detained long, and, in fact, so well disposed was he towards us, that we could start five or six days after our arrival there. Well, this account charges me with the cost of feeding my men in the Rocky Mountains. If we had not been fed in the Rocky Mountains we would have been fed in Winnipeg, and I was not bound to pay the cost of feeding my battalion. That, however, is one of the items of that account. When I received it, I suggested to the Department that a commission or arbitrators might be appointed to consider the account in a friendly spirit. In answer to that letter I received notice that a commission had been appointed. And who were the commissioners? Was I consulted? Oh, no. The Minister took three of his own servants, three men, most honorable men I admit, but men over whom he had full control. He took one man, who has a family, and whom he has threatened at every year to displace; and he took two others of his employés; and the very same day those men were appointed it was announced that new corps would be formed and there would be vacancies for some officers. The commission proceeded to work. At five minutes to two o'clock on a certain day, I received notice that at two o'clock I was to appear before the commission to give explanation. Fortunately I was not detained in the court, for I would never have received notice, and the commission would have to proceed *ex parte*. The commission was bound to find a balance against me, of course. They proceeded to consider that celebrated account of \$1,472.83, besides the amount which they said I owed the officers of my battalion, and after an enquiry, most incomplete, where the interested parties were not heard, with the exception of four or five, the amount was reduced considerably. We will see how much. It was reduced, I find, to \$469.57. So that they have added \$226.27 for War Claims Commission's account. What that means I do not know. We were away for four or five months time at the North-West; we left our business; and now I must spend days and weeks to defend and protect myself against the Minister of Militia, who risked his life to go to the North-West. I do not know what these accounts are, but I know that when I was in the North-West, at Calgary, I received an order from Major General Strange to act for him, to represent him, and to sign accounts and vouchers. I spent the whole of my time in signing these papers, and for that time I received nothing; I have only been insulted for it, that is all.

During the time that I was acting in that capacity, commanding the district, I had to attend to an immense number of these papers, as well as other matters. There were those relating to the provisions, which will be alluded to later on, the teamsters, and, in fact, the whole work of organising there. I signed for many hundred thousands of dollars of accounts, and how that has been extracted from them I do not know. I know nothing of that item that is charged against me; we were not put *en demeure*. Then I find that there would be certain balances due by some of my own officers, and I find that I am indebted to the Department in the sum of \$40.95. Well, the Department paid much more than that to find out that amount, and the amount paid here. If I had a commission of *enquête*, before which I would have the ordinary power of introducing witnesses, I would be able to prove that the Department owes me over \$50, instead of my owing the Department. Then there are some small items; here is one of \$14.40, and another to the same amount against some of my officers. Here is another sum of \$126.35, but it is not due by an officer of the 9th, but by an officer who belongs to the regular army, whom the Minister of Militia has himself sent to England, and for whom I am not responsible. There is another item of \$115.25, not due by an officer of the 9th, but by an officer imposed on the 9th by the Minister of Militia. He is not related to me; the hon. gentleman knows to whom he is related.

Sir ADOLPHE CARON. Name.

Mr. AMYOT. Surgeon DeBlois—*cousin germain*. Now, I told you that there was an amount put against us; but there are certain amounts due to my officers to the extent of \$103.70. Do you think the hon. gentleman has time to look into that, and pay my officers the amounts which are due to them? No, he cannot attend to that at all—it would be taking too much time and trouble. I referred to the rations, and I will give you an explanation of that. I think it is due to my battalion that I should protect them here, for it is because I am here that my battalion is attacked. If I had not been a member of this House, or if I had sacrificed my opinions and convictions, and voted to support the hon. Minister of Militia, I would not have this trouble, nor would my battalion be treated as it has been. It is because I am here that the battalion is insulted, and I am bound to defend it. When we arrived at Winnipeg my officers went to the Department and asked if we were entitled to have rations in money rather than in kind; and it was answered by one officer, as I can prove by three witnesses, that we were entitled to receive rations in money. The orders and regulations of the Militia are very clear on that point, or they were up to that time, but since our return the Government has thought fit to amend them. My officers were paid the first time in money, and not in kind, and then we established a mess, as we were bound to do, by the orders and regulations of the Militia. We have been going on in that way, adapting our expenses to the scale established in the orders and regulations, showing the amounts we were entitled to. All the time of the expedition we could not be paid except once in the beginning, when we were paid on that basis of money instead of in kind. But since the Department has refused to pay us in any way for the feeding; they said, You have received in kind. Well, we established the contrary, by means of the vouchers and requisitions. Then the Department gave in, but instead of giving us one dollar, according to the orders and regulations, they gave us only 40 cents, and that is how they became our creditors. More than that, when we arrived in Quebec, we received the following letter:—

"Sir,—I beg to inform you that, according to instructions received from the Department of the Minister of Militia, the 9th Battalion are
Mr. AMYOT.

entitled to draw field allowance and rations to the 21st July. From that to the end of July net pay only * * *

"FRED. K. LAMPSON,
"Major and Paymaster."

We were paid according to that official letter. Well, the commission of *enquête* takes back that amount which has been paid to us and says it is irregular. The Minister wants a revenge, and proceeds *ex parte* against us; that is the way in which we are treated. I complain, Sir,—that the Minister of Militia, instead of being the friend and supporter of the 9th, has become its persecutor, and I am afraid that the sentiment which animates him is a feeling of revenge against its commander. The Minister of Militia should remember the circumstances connected with that expedition to the North-West, so far as I was concerned. When I was in the North-West I did my best for him; I sent in any number of letters of praise and telegrams to be read before this House, and he replied in the most friendly way. Long after the expedition was over, we exchanged letters of congratulation and friendship. I have letters from him, which I may have occasion to read before this House later on, in which he told me: "Don't be afraid when you write me privately, it will never be made public." But when the execution of Riel came, when I was faithful to my word, and acted in the way my conscience dictated, then he became my enemy and began his persecutions; and I state, as a matter of fact, that nearly every time I have had a letter from the Department, the ministerial press have been informed of its contents before me. Every possible information from the Department against me has been given to the press, and the most odious persecution has been organised against me. I complain of it, but I know it will go on, and I know that with his organisation he will some time or other find some way of chasing me from my battalion. But I do not care, because the people are with me, and I defy the hon. gentleman to find one single officer or soldier who will say one word in reference to me except of praise and gratitude. He will find, perhaps, three or four in the ranks of my officers, who are under his control for public situations or for increases of salary; but all the rest are with me—why? Because all the time the expedition lasted we did our duty. We were not old soldiers, but we did our best; we committed no wrong; we obeyed every order possible, and when we came back everybody was satisfied, and everybody is still satisfied. I am not afraid to leave that part of the case with my fellow-citizens and this honorable House. There is another part that will be disposed of further on, that is, the part of the telegrams. I will make that matter clear in such a way as to enable this honorable House to judge whether the hon. Minister of Militia is my persecutor instead of my defender.

Sir ADOLPHE CARON. The hon. and gallant commander of the 9th Battalion, for the second time, comes before this House, and complains of the manner in which the great services which he has rendered to his country have been acknowledged by Parliament and by the Minister of Militia. On a former occasion the hon. gentleman appealed to this House, and called upon me, as the responsible head of the Department of Militia, to lay before Parliament and before the country the letters and telegrams which had been exchanged between the Minister of Militia and the commandant of the 9th Battalion. On that occasion it was my duty to obey the command of Parliament, and, upon the motion of the hon. gentleman, I laid on the Table of Parliament, letters and telegrams which he felt ashamed of after they were published. But the hon. gentleman stands up here, knowing his responsibility as a member of Parliament, and accuses me of being the persecutor of his battalion, and of insulting a battalion, the members of which belong to the same race to which I belong; and I can say that the members of that battalion, as I have had

occasion to say before, when called upon by their country, did their duty in such a manner as to reflect credit on the Province, credit upon Canada, and credit upon the race from which they spring. But, Sir, the hon. gentleman says that I insulted that battalion. Does he remember that, upon the motion which he made, he forced me to disclose what I should have liked to keep confidential and secret? The hon. gentleman placed in the hands of the Speaker of the House a motion calling upon me, as Minister of Militia and Defence, to produce all letters and telegrams exchanged between the Minister of Militia and the Colonel of the 9th Battalion. And what did he state in those letters and telegrams? Was it right and proper for him to say that the volunteer force was merely required to look after provisions and to take charge of garrison towns? That was an insult. But the insult did not come from me, nor from my Department; it came from a gentleman who, while commanding that battalion, must have found among his own people and the members of his own battalion, brave Canadian hearts who would have felt ashamed to be set down before the Parliament of the country as merely good for the purpose of looking after provisions. And, Sir, I was asked to replace those valiant sons of Canada with cow-boys and half-breeds, who were better than they were to fight the battles of our flag and our country. I say, Sir, I never have been the insulter of his battalion or any portion of the militia force of Canada. As a Canadian, irrespective of the position I occupy to-day, I feel proud of that militia who, on every page of the history of Canada, have left a record that any people might be proud of—a record that shows that Canada can rely upon her own sons to protect her at home and to defend her when she is attacked from outside. The hon. gentleman has made a statement about accounts. Does he believe, that I, as Minister of Militia, carried that spirit of persecution, which he accuses me of, so far, that I have looked into every account of every company and every battalion in the force that was sent to the North-West? These accounts were placed in the hands of the accountants of the Department. The books are there, and if the hon. gentleman will place a motion in your hands, Mr. Speaker, I am prepared to lay on the Table of Parliament those accounts, which will show that I never interfered in any way except to do my duty as responsible to the country for the money that passed through my hands as Minister of Militia. I placed the accounts of the hon. gentleman's battalion, as I placed the accounts of every other battalion, in the hands of the officers who had charge of that particular branch of the Department; and those gentlemen cannot possibly have felt that great hatred, which he says I felt, for the hon. gentleman from the moment the Riel troubles began. It is of no use to-day to go back to that page of our history. If we did, I would be prepared to show that the hon. gentleman, even upon that question, changed his views more than once, and that he was prepared at first not to view this great crime which he accuses us of, in the same severe and critical light in which he viewed it afterwards. But we need not go back to the question of Riel. My duty here, before Parliament and the country, is merely to show that I have had no feeling whatever except a feeling which I was bound to possess, as an honest man, to see that the Department was protected; and I can tell the hon. gentleman, and he knows it, that every account which came before me was submitted to him months and months before the period when the drill took place, and I am prepared to bring down the papers which will show that it was in no hostile spirit that those accounts were forwarded to the hon. gentleman, to that protector of the honor of the battalion, to that friend of his nationality, to that great patriot who sacrificed his future, who has been the object of persecution and prosecution ever since; through patriotic motives he changed his

views, the views which he entertained before, on the Riel question. Now, the hon. gentleman, again the friend of his battalion, says that the only officers in the battalion about whom possibly he may have some doubts, are those whom I had got under my control for the purposes of patronage, and giving them positions in the Civil Service, or elsewhere. Well, I should like to know whether he, the commandant of that battalion, shows himself very friendly to those who fought side by side with him, who went to the North-West with him, did their share there well, remarkably well, as I have said on more than one occasion. Is it very proper for him to brand these men here, men belonging to the militia force of Canada, as men who can be controlled by the hope of getting some patronage or some position in the Civil Service? In any case, Sir, you, as a military man, know that these officers must have been selected by the hon. gentleman. He had the selection of his officers, and he should have been more prudent in forming that battalion than to select men who could be turned away from their duty by the hope of getting patronage, or who could be controlled by the political head of the Department. The hon. gentleman referred to Surgeon DeBlois who went to the North-West, and, *sotto voce*, the hon. gentleman said he was a connection of mine. Mr. Speaker, when the battalion was ordered to the North-West, the surgeon who should have accompanied it was in such a poor state of health that he requested to be replaced by another, and, upon the recommendation of almost every officer in the battalion, and, I believe, of its colonel, the hon. gentleman himself, Surgeon DeBlois was selected and sent to the North-West to attend the wounded and sick of the battalion during the campaign. I must say that in that critical period, when more important matters were coming, every hour almost, under the notice of the Militia Department, I, upon these recommendations, did not hesitate to grant the request, which was made by one, who, although my connection, wanted to go, like the gallant colonel himself, to fight the battles of his country, and I consented to allow Dr. Roy to be replaced by Surgeon DeBlois. The hon. gentleman says he is here to defend his battalion which is attacked. His battalion has never been attacked. Let him take up the *Hansard* during the last Session, and the Session before, and show me where, at any moment, the 9th Battalion was unfavorably spoken of; let him say whether it was not always spoken of by myself and by those who took an interest in what was going on, in the highest terms possible—terms laudatory to the men and laudatory to the officers. There is a question, and more than one question, which it is very inconvenient indeed to discuss, without having the papers here; but the hon. gentleman speaks of rations that were refused to him, or which, instead of being given to him in kind, were refused to be given to him in money. We have the military regulations, and every soldier is bound to be guided by them, and I can tell the hon. gentleman, what he knows, that in my own office, when he told me Colonel Lamontagne, who was acting Adjutant General in Winnipeg, had allowed him to draw his rations in money instead of in kind, Colonel Lamontagne, whom I called into my office when the hon. gentleman himself was present, said he had never given such permission, and had never violated the regulations by allowing the hon. gentleman to do what, under the regulations, he had no right to do. I am perfectly prepared to bring down every paper connected with the manner in which the whole of this disagreeable matter was dealt with. The accounts were placed in the hands of the accountants of the Department, and they were sent to the military head of the Department by the Major General Commanding, and the hon. gentleman should know, if he does not, that all such orders connected with the active force must be sent through the general officer commanding the militia. I did not expect the hon. gentleman would call upon me to discuss, without

the production of the papers, the matters which he has brought before us, but I can tell the hon. gentleman that I am as friendly to-day to the 9th Battalion, and every other French Canadian battalion, as I have ever been, and I am prepared to meet his accusations here, or elsewhere, whenever he chooses to bring them forward, and in discussing these accusations I shall have the official records which must speak for themselves. I shall not attempt to go into a discussion of any of these matters without having the papers brought before Parliament.

Mr. LANGELIER moved that the House do now adjourn.

Mr. AMYOT. I am told that I have changed my views on the Riel question. I would like to know where. Is it in the county of Bellechasse?

Sir ADOLPHE CARON. Yes.

Mr. AMYOT. My majority there, which was 142, is now 640; and the hon. gentleman must remember that some years ago, when he begged of me to help him, he was defeated by 632 in the same county. He speaks of public opinion and changing one's mind. What has he done in the district of Quebec, of which he has taken charge? First, in the Local House he lost power to the Conservative party. Through his selfishness he took away from Quebec many leading citizens who would have given the majority to Carbray in Quebec west. He brought them to the county of Quebec, where he spent, I do not know how many thousands of dollars, but where potatoes were bought at \$25 a bushel. Had he spent a little money for legal organisation in L'Islet and other counties, he would have won five or six more counties, and the Conservative party would still be in power in Quebec, but no, he wanted the county of Quebec to be made sure for his own election. He lost power to the Conservatives in the Local House, and in the Federal House we know that, out of twenty-one counties, he lost seventeen. That is the great influential man, the man who is so devoted to his country, the man who has a right to say to those who devoted themselves truly to the country: You are cowards—because that is what he means. Did the great man leave his family and go to war? No, he stayed peacefully in his office, with more servants than before, and with the expectation of titles and honors. That is his share. Where is his self-sacrifice? All his sacrifice is this: When he has got blind men to follow him, he does his best for them; when he has men who act according to the dictates of their conscience, and who oppose him, he wants to destroy them. That is where his usefulness appears, but for the rest he says he has no time to look into it. He has no time to look into the accounts. I tell the hon. gentleman that, as leader in the district of Quebec, he lost that district for the Federal Government, and that in regard to the Local Legislature, he lost power for the Conservatives. I speak as an old Conservative. I speak as one who has fought the battles of that party since 1864, as one who has never obtained anything for his work, but has sacrificed much. If the hon. gentleman had carried the district of Quebec for his party, as the district of Montreal and the district of Three Rivers have been carried, the position of his party would be different to-day, but there are not many in that district who believe in him, because he lives on false promises and insults to his opponents. He insulted the commander of the 9th Battalion and the officers of that battalion, and the suspension of the 9th Battalion has made him most unpopular. He is a man who does not look into the future of his country. What has he done for the future of his country? He has promised a railway from Cap Rouge to Lorette. He has carried his county that way. Where is that famous railway now? He knows quite well that the population of the district of Quebec price him at his just value. He may try to insult me, but I am never afraid to meet him. He

Sir ADOLPHE CARON.

must remember when he refused to meet me during the last campaign. I am ready to meet him at any time; I am not afraid of my past, and I think my present is full of patriotism. I left the favors of the Administration to follow my convictions. Can he boast of doing that? Now he insults me, because I went to the North-West. I gave up everything. Did I know, when I left my family, that I would not be killed in the battle? Who told me? I made the sacrifice. Did he make the sacrifice? He never made any such thing. The hon. gentleman has said once that I offered my services. I draw his attention to this, and I defy him to contradict me: When the agitation in the North-West began, I received the following telegram—I was then here in my seat:—

“QUEBEC, March 30th, 1885.

“Officers of the 9th, assembled, request me to enquire from you if there is any probability of being called out.

“T. ROY,

“Lt.-Col. Commanding.”

I went to the Minister of Militia and asked him what to answer. It was rather painful to me to go against the half-breeds, but I thought that, under the peculiar circumstances which we French Canadians occupied in the Confederation, it was important that there should be some French Canadian battalions in the North-West. I communicated with the Minister reluctantly, but I was bound to do so. He answered me that he would give me a definite answer the next day, and the next day he called us out. Well, we had to go. It was a hard task. The temperature at that time was not very nice, and to fight against our own blood is repulsive—human nature is there. My answer was, at the request of the hon. Minister, this:

“Lt.-Col. THOMAS ROY, Quebec.

“Probably called out. Do you prefer called now, to be in readiness, or only on the eve of starting?”

Immediately on being called out, I went down. The number of telegrams I received, urging me to hurry up, was immense. I will read two of them, Mr. Speaker, because, perhaps, you are personally interested in them:

“OTTAWA, 1st April, 1885.

“Let me know when you will be ready to start. I am anxious that you should be ahead of Montreal regiment. Answer.

“A. P. CARON.”

Why was he anxious that the Quebec regiment should be ahead of the Montreal regiment? There must be some reason. Perhaps, if we were to go to the bottom, you would not find anything against me in that. Here is another:

“Do not delay for supplies. Whatever is deficient will be forwarded to you.”

Forwarded to us? Perhaps some old goods were forwarded to us, but we were missing a great number, and we are not yet paid the \$8 to which every man is entitled for the underclothing. Some regiments have been paid. I am told that those who were friendly have been paid, but where the commander is unfriendly—to be paid? oh, no; it would not do. Here is another, which I suppose will interest you, Mr. Speaker:

“OTTAWA, April 2, 1885.

“DeBlois going with you as surgeon. He is authorised to purchase what is required—

You see that is not any request of mine. I am informed that he goes with me—

“He is authorised to purchase what is required to fill medicine chest. Instruments will be forwarded from here. I am anxious that you should show how rapidly a Quebec regiment can move. Hurry up.”

Why so anxious to show that a Quebec regiment may move rapidly, and why had he been so anxious that the Quebec regiment should be ahead of Montreal? No doubt the Minister of Militia will be able to explain that.

Sir ADOLPHE CARON. If the hon. gentleman wants an answer, I may say that it is because his battalion is, I believe, the oldest battalion of the force amongst the French Canadians.

Mr. AMYOT. No, there are many older. On the 30th April, I received this telegram:

"I offer you congratulations on the promptness with which you and your battalion have answered the call and prepared your departure for the North-West.

"A. P. CARON."

And then I received any amount of congratulatory telegrams until we reached Winnipeg. There we were put in a swamp. There were many buildings belonging to the Government in which there was nothing at all, but no, we were bound to be put in swamps. Immense and heavy rains came on. I lost two men through sickness, most probably arising from the dampness, and from the cold they had taken in the swamps. Four days, five and six days elapsed, while we were in Winnipeg. No one minded us at all, and I heard in the streets of Winnipeg: "What are these French Canadians doing here?" And I wired the Minister to get us away by all possible means; and then I found that General Middleton had forgotten us at Winnipeg, and I obtained at last the order to go to Swift Current. It was only by sending telegram after telegram that I could be remembered and be sent forward. When I arrived at Swift Current, I met with very efficient and intelligent officers. We went round the prairie together, and we found that the war was being conducted in a most extraordinary fashion. I do not pretend, myself, to be a man of experience, but I took the ideas of others, and amongst them the ideas of an old general who was there, a soldier who had often been under fire. Those who have not been in the North-West cannot form an exact idea of the circumstances. When we speak of provisions it is not like going to your own cupboard and taking out provisions. When you have to provide food for thousands of men, and to send it for hundreds of miles through the prairie, it is a matter that requires a great deal of careful attention. One day a party of General Middleton's teamsters were attacked on the prairie by a few men and made prisoners, and all their provisions were captured; and if Riel and Dumont had been cruel men they might have killed any number of those teamsters, they might have starved the army of the North, they might have done any amount of harm in that way. After that trip the officers with whom I spoke—and this has been proven under oath in a certain case—urged me to wire to the Minister of Militia and inform him how matters were going on. They said that the expense would be enormous, that the danger would be enormous, and that the war was badly conducted. The Indians and the half-breeds were, for the most part, mounted men, and to send a corps of infantry after them in the open prairie was, in their view, as well as in mine, a very absurd thing. We could not tell how many miles the infantry would have to go to reach the mounted rebels; we could not foresee how many months the war would last. I was urged to wire the Minister of Militia that the war was being badly carried on, and that to meet mounted men mounted men were required. The Canadian army, being already there, was to be employed there, but how? Could you employ that body more usefully than by watching the forts and provisions, when one fort had already been plundered? Provisions were scattered over the prairie for hundreds of miles, and were constantly exposed to the enemy. The hon. gentleman laughs. Did he go there? Did he go further than Winnipeg? Did he go to war? Has he a very long sword with his title? That was not my opinion only. There were many officers who shared my opinion. The hon. gentleman wrote me a letter in which he stated:

"I could not find a moment to answer you before to-day. Rest assured that you need not feel anxious. When you write to me privately, I keep your letters to myself alone; it is only when I have to obtain information from the Departments that I communicate the subjects treated in your letters."

This is dated November, 1882. The hon. gentleman says: But you yourself have asked by motion that I should produce those papers. The hon. gentleman is mistaken again. He does not say what is correct. There has never been a single paper produced. Does the hon. gentleman understand what I say?

Sir ADOLPHE CARON. I do.

Mr. AMYOT. When he stated here a moment ago that he had produced the papers, he said what was not correct. I never made a motion. I put the motion on the paper once, and when the notice was called I was just entering the Chamber, but the word "dropped" had been spoken. I put the motion again on the paper, but it was then too late to be moved that Session. So when the hon. gentleman says that he produced these papers at my request, he says what is not correct, as his answer yesterday was not correct, as his interpretation of my telegrams was not correct, as all he says about them was not correct. When the hon. gentleman appeals to the records of this House, there I have him, and there I say: You are wrong. Can he give me the number of that report? Where is it? When was my motion made? One day when there was a question about Riel, this incident was brought in suddenly when I was not prepared to answer with the papers. But to-day I am going to put matters right. Well, following the advice of those old officers, I wired to the Minister what we thought of the way in which the war was being conducted, that mounted men should follow mounted men, and that the best use to which we could put the volunteers was to watch the provisions and the forts. A fort containing 100 people and situated hundreds of miles from any other fort, was in a dangerous position, and to watch and protect convoys of provisions passing through hundreds of miles of prairie, is more dangerous than to sit in one's office, and to study one's lesson, preparing insults to those who work, and to consult one's officers of a Department. Well the hon. gentleman answered me on the 23rd of April:

"Delighted to hear how well you are getting on."

Then he wired to me very often. In answer to that telegram about provisions, concerning which he has made so much noise and so many accusations against me, he telegraphed me:

"Telegram received. You will have heard the news which answers part of your telegram. You are doing splendidly."

"You are doing splendidly." Mr. Speaker, if the hon. gentleman was sincere then, he is not sincere to-day, and *vice versa*. Certainly there has been a moment in his life when he was not sincere. If I was doing wrong why did he not warn me immediately to do better? But no; "You are doing splendidly." That is his answer. On the 20th April, 1885, he wrote me as follows:—

"Your letter received. I thank you for it, and the good news you give me of your battalion affords me great pleasure. I have implicit confidence in you and in your command. Write me as often as you can and give me the news. I take note of what you say of other matters in your letters."

We went to Calgary. I found it in a great state of excitement. I secured a meeting of the priests, of the mayor, and of the officer whom General Strange had placed in command of the local guard. They decided that I should wire the Minister of Militia the same thing that I had wired him from Swift Current, conveying to him the same ideas and asking him, moreover, to order some scouts to be sent over the country around Calgary. To that I received an answer, and in that answer I am thanked for the information, and he adds:

"I am happy to learn you arrived safe at Swift Current. We are all satisfied with the way in which you have done your work."

And then another telegram came, in which the Minister said:

"Keep me posted. * *"

One day we hear: Keep me posted; and when you write to me privately, the communication is private. Another day it is: Write me often; another day it is: You did beautifully; another day it is: We are charmed with the way you are acting and with your work. These telegrams, be it remembered, were not ordinary telegrams, but were in cipher. The telegram in which the Minister said, "Keep me posted," is this: I will not read all of it, because other parties are concerned:

"OTTAWA, 2nd May, 1885.

"You are doing well; keep me posted."

When I had arrived at Calgary, there was the end of it. I received orders to scatter my battalion over the plains, to divide it into five detachments and place them from 25 to 100 miles from each other. But I received no other instructions whatever in regard to my action in any emergency, except this: that Major General Strange ordered me to do his work. I worked hard; I worked day and night; I did my duty; I did the best I could. There has never been any complaint that what I did was not correctly done, and I do not think anyone could have done much better. There is one feature in connection with the service in the North-West that deserves mention. The Post Office Department did its best for us. We have nothing but praise and gratitude for that Department, and the Minister who was then presiding over it. We came back from the North-West, after visiting the Rocky Mountains, through the kindness of the Canadian Pacific Railway Company, and with the permission of the Minister and the Major General Commanding. We returned to Winnipeg; and in this connection I may say that I saved a few thousand dollars to the country by forcing the return of my troops from Winnipeg earlier than would otherwise have occurred. They would have remained four or five days longer if I had not pressed, by any number of telegrams, their return, and by showing the consequence of that policy, thus securing their return four or five days earlier, whereby a considerable expense was saved. When we returned we were cordially received, and everybody was satisfied. The Minister, with his great eloquence, came and made a speech to my men. His Excellency the Governor General was kind enough to deliver a speech. We were received most cordially by the people here. We had stopped at Toronto, where we had a brilliant reception, and all my men were charmed to find that in that great commercial centre there were so many warm hearts for the French Canadian volunteers, and they will never forget it. We were received all along the route most cordially, and we felt keenly the pleasure of again returning to our homes. At Quebec we had the grandest reception possible. The Minister of Militia continued his communications with me. He was most friendly. Everything I had done, everything I had written and spoken was correct. That continued until the Riel affair; and since that affair you know, Mr. Speaker, yourself how matters have turned. I contended in my telegrams to the Minister, and I contend still, that if the campaign had been made by mounted men, instead of it costing four, five or six millions, it would not have cost more than half a million, and would have lasted only about two weeks. It is true that it brought two titles to this country, but that is not sufficient recompense for the expense incurred and the lives lost. Those who have been to the North-West know very well the meaning of provisions and supplies there. There are hundreds of miles of prairie dotted over with only a few so-called forts, but these have no walls and

Mr. AMYOT.

consist simply of some small houses. Provisions are stored there and these are liable to be seized by the Indians and half-breeds, and the duty of protecting them and of guarding teamsters hauling provisions was a work much more difficult than the hon. Minister had to perform during the campaign. I do not desire to take away from the hon. gentleman's credit; I think he worked hard, and by means of commissions which decided questions against us without our receiving proper notice, by appointing officers specially to find out accounts against us, by arranging his work in such a way that a year and a-half afterwards accounts can be brought against us—by doing his work in that way he increased his work and persecuted his enemies and unduly protected his friends. I am sorry to be obliged to go into these details, but it is due to me that I should be allowed to explain these telegrams. According to my view it was through malice that the hon. Minister, last year, when we were discussing the Riel question, brought in those telegrams, incidentally, when I was unable to again address the House. The hon. gentleman, moreover, took advantage of my momentary absence last year, to have my motion dropped, and it is proper that I should take this, the first opportunity, to explain those telegrams. The hon. gentleman pretends they are before the House. He is mistaken. The hon. gentleman is mistaken in every point of fact that he has brought before the House. Is it fair, when we have done our best to serve our country, when we have made sacrifices, and done no act whatever to dishonor the flag, when, on the contrary, everything we have done elicited praise, is it fair that the Minister having charge of the militia force, instead of being our defender should become our accuser? Is that true public gratitude on the part of Canada? Is it worthy of this Dominion that the commanding officer and the officers of the 9th Battalion should be treated in that way by the Minister of Militia? The Minister did not leave his home. We, on the contrary, left our homes and went to the North-West to win a title for him. We exposed our lives, he did not. We did the real work of soldiers, he did not. I do not reproach him, however, for that. I am glad that a French Canadian got a title, and the more titles they have the more satisfied I shall be.

An hon. MEMBER. No.

Mr. AMYOT. That is my idea. I am loyal; and the Queen is the fountain of honor. I do not reproach him for that; but I say it is not fair that the Minister of Militia should use his Department and all his private information to try and destroy those who made the fight and exposed their lives. That is not fair; political hatred should not go so far as that. If he tries to fight me on political grounds, that is all right; but to use my expedition to the North-West, to use my private telegrams against me, or to use his special officers to try to find out accounts against my battalion, is not right. I think he has quite forgotten his duty, and has gone a step too far in doing that. If his political wants were less, he would content himself with fighting me on political grounds. I know that for what I have said I will be exposed to any amount of persecution after Parliament is over, but I will do my best to resist; I will not give up the rights of either the commander or the soldiers of the battalion, but so long as I can I will do my best to protect them in the Province of Quebec as I did in the Province of Manitoba. When we were friendly he found everything all right, but now he finds everything all wrong. I leave it to the country to judge as to our respective rights.

Sir ADOLPHE CARON. I have only one word to say in reply to the hon. gentleman. He has confined his remarks to defending his telegrams, and the manner in which he viewed his duty in the North-West. Now, the hon. gentleman states that I was incorrect in stating that last Session he moved to produce all the papers, letters and telegrams ex-

changed between the Minister of Militia and the commanding officer of the 9th Battalion. I beg again to state, as I have stated already, and as can be easily seen by referring to *Hansard*, that the hon. gentleman did make that motion, and it is also quite true that the motion was abandoned. In defending myself against the accusations he made against me, and against my Department, I stated that that motion being on the Table, I would give the hon. gentleman an idea of the telegrams and letters which I was prepared to produce. I read a few, and the hon. gentleman gave up his motion and did not consider it was right to continue the discussion. That is all I have to say on the matter.

Mr. AMYOT. I deny it.

Mr. MULOCK. I beg to call the attention of the Minister of Militia to a matter concerning the York and Simcoe Battalion. It has no relation to the discussion which has preceded—

Sir CHARLES TUPPER. Would it not be as well to bring it up on the Militia Estimates?

Mr. MULOCK. It will only take a few moments. The York and Simcoe Battalion is composed of men drawn partly from my own county and partly from the adjoining county. During the time of the suppression of the rebellion they went upon active service at the beginning, and they were about the last to leave the North-West for their homes. They were on duty, probably, some three months or more—I cannot speak with accuracy on that point—but it has been called to my attention, by some of the men who are my own constituents, that they have not received the same treatment that has been accorded to other volunteers under similar conditions. It appears, on reference to the Auditor General's report for the year ending 30th June, 1886, that certain allowances were made to certain battalions on duty in the North-West, and I will confine my remarks, by way of illustration of the treatment accorded to the several battalions, to the Queen's Own and the 10th Royals. On reference to the Auditor General's report, page 556, it appears that the Queen's Own was allowed \$8.15 per man in lieu of clothing, as it is called. On page 557 it appears that the 10th Royals were allowed \$2,070.10 for compensation for boots and underclothing; and, assuming that their strength was about the same as the strength of the Queen's Own, that would show an allowance, per capita, to the 10th Royals, of \$8.15. It appears, on page 559, that an allowance was made to the 30th Battalion of \$13.95 a head, made apparently under the heading "kit allowance." If you look through the Auditor General's report you will find various allowances made to the men, in some cases kit allowances, in others allowance for underclothing, in others allowances for boots and shoes and other necessaries. But in the case of the York and Simcoe Battalion no such allowance appears, and the men complain that they have not received the same treatment that the others have, and that they are entitled to have that allowance made to them. I find that a question was put by the hon. member for Muskoka (Mr. O'Brien) on the 25th of May, and the Minister of Militia replied that no allowance was made to the York and Simcoe Battalion, on the ground that they do not appear to have any claim for such an allowance. The answer of the Minister does not disclose why, in his judgment, they have no claim, but I understand he has stated that the reason why he has come to that decision is, that he alleges that the municipalities supplied them with their kit, underclothing, &c., and that, as they did not disburse anything, they are not entitled to this allowance. If that is the case I would like to know it.

Sir ADOLPHE CARON. Yes.

Mr. MULOCK. In answer to that I would say that I am advised, and I believe correctly advised, that that reason is not well founded. I would say further that the Department has never caused any enquiry to be made to ascertain

whether the men did or did not disburse a sum equal to \$8.15, in supplying themselves with necessaries in connection with the campaign. Looking through the Auditor General's report it does not appear that the allowance is made for any specific article, but to compensate the men for supposed expenditure in supplying themselves with whatever necessaries they might be short of; and, apparently, a great deal of latitude has been allowed in making those allowances. I think, therefore, that it is unreasonable to say, without enquiry, that the York and Simcoe Battalion is not entitled to this compensation. I believe the Minister of Militia made allowances to the Queen's Own and the 10th Royals, without investigation as to whether they were or were not entitled to this compensation; and why he should have been so anxious that the York and Simcoe Battalion should not have it, while he was so willing to give it to the Queen's Own and the 10th Royals, I am at a loss to understand. It appears that the Queen's Own obtained their kit allowance on the 2nd of May, 1886, and that the 10th Royals obtained theirs on the 26th of December, 1885, within six months after their return. But although an application was made to the proper military authorities on behalf of the York-Simcoe Battalion, on the 2nd of March, 1886, it was not until the 4th of January, 1887, ten months afterwards, that the Government saw fit to answer their application at all, and the reply denied them any kit allowance, without the Department having properly investigated the facts. That is my charge, and I would ask the hon. Minister to reconsider the matter, and have the proper enquiries made, and I think he will satisfy himself that the York-Simcoe Battalion are entitled to that kit allowance. Moreover, if the volunteers receive gratuities from the municipalities or from their friends, I do not think the Government is going to be so picayune, so small in its dealings with them, as to refuse them the allowance on that account. The pay is very small, the hardships are great, and the loss to the individual is great; and it is an unpatriotic thing, in my judgment, for any Government to be too nice in its allowances to those who stand by the country in the hour of need. I, therefore, take the ground, that no matter who supplied the necessaries to the volunteers for whom I speak, they are certainly entitled to be treated in the same way as the 10th Royals or the Queen's Own were.

Sir ADOLPHE CARON. The hon. member for North York brings this matter up by asking me why I am so anxious to refuse an allowance to the battalion whose case he is advocating, while allowances were granted to other battalions. On a former occasion it was my duty to answer another question that was put to me by another hon. gentleman on that very point. I stated then, what I repeat now, that in some cases, from the fact that it became necessary at a moment's notice to send a force to the front and to improvise everything that was necessary for the force, in some instances it was found that our stores were insufficient. Although the Department was taxed to its fullest capacity, it was found in some instances quite impossible to satisfactorily equip the men; and so it was thought advisable, on application made, to allow some of the battalions to obtain supplies in the stores and elsewhere, such as underclothing and other articles which were absolutely necessary for them in undertaking the campaign. In the case of the two Toronto battalions, so far as my recollection goes, they were merely paid the amounts which appear to have been paid to the different stores for the purpose of providing the equipment required.

An hon. MEMBER. No.

Sir ADOLPHE CARON. The hon. gentleman dissents, but I think he will find that my statement is absolutely correct. In the case of the York-Simcoe Battalion, the municipality provided certain articles of equipment which became the property of the

battalion, and I must draw the hon. gentleman's attention to this fact, that I ascertained, on enquiry, that if any money was to be reimbursed at all by the battalion, the municipality insisted on its being paid to the municipality, and not to the battalion.

Mr. MULOCK. Did the Department ascertain whether the men of the York-Simcoe Battalion had or had not expended certain moneys of their own in supplying themselves with necessaries in connection with the campaign?

Sir ADOLPHE CARON. The application was not brought before the Department in that way at all. It was brought before the Department claiming that we should pay public money for the purpose of reimbursing the battalion for those very articles which the municipality claimed to have furnished; and, in the report submitted to me after the investigation took place, which the hon. gentleman says did not take place, the officer who acted as Major stated that the men had no claim whatever.

Mr. MULOCK. Who was that?

Sir ADOLPHE CARON. I am giving the statement placed in my hands by the officers of the Department.

Mr. MULOCK. Was it the Major of the regiment?

Sir ADOLPHE CARON. One of the officers acting as Major in the battalion. An application was made by Lieut.-Col. O'Brien, through the proper channel, on the 2nd March, 1866, for "an allowance in lieu" of underclothing, &c., on the ground that in "all the other battalions which were engaged in the North-West the men were either provided with underclothing, &c., or received an allowance in lieu thereof," which statement is at variance with the facts. This application was replied to through the general officer commanding, on the 4th January, 1867. The officer who acted as Major stated that the men had no claim, as they had been provided for by the county, and if payment were made it should be to the municipality. Some battalions were given an allowance, but they proved that they had expended the amount for the purchase of kits for the men. The York and Simcoe Battalion does not appear to have any claim for such an allowance.

Mr. MULOCK. May I ask, is there any report from the Major to that effect?

Sir ADOLPHE CARON. There must have been, because it was submitted to me in answer to the enquiry made by my hon. friend.

Mr. MULOCK. Can the report be laid before the House?

Sir ADOLPHE CARON. If the hon. gentleman wishes the report, I will look into the matter and see whether it can be produced. I merely take this statement as forming part of the answer.

Mr. MULOCK. There are two Majors in the regiment. One is now in the North-West, and the other is a member of this House. I presume their reports are official, and that there is no objection to laying the report on the Table.

Sir ADOLPHE CARON. If the hon. gentleman wishes, I will see if I can bring it down.

Mr. MULOCK. The reasons for my suggestion is this: there are two officers of that battalion in this House, and they, of course, would be able to verify that statement or to give the Minister correct information. I should like to know whether they concur in the report said to have been made by one of the Majors.

Mr. O'BRIEN. I am sorry to have to refer to this matter in the House, because I think it is a matter purely departmental, which ought to be dealt with by the Department. In the first place, if it was right for this allowance to have been made to any part of the force it should have been made to all alike, and no one should have been called

Sir ADOLPHE CARON.

on to make application for it. There are one or two matters I will briefly refer to, in regard to which misstatements have been made that put the Minister of Militia in a position he ought not to occupy. It is said that the pay-sheets were issued by the Department. That is not correct. None were issued by the Department. Those that were made out were obtained by the officers commanding companies, who were under the impression this allowance would be made. The reply of the Minister is not satisfactory, in my opinion. It makes no difference by whom, through whom, or at whose expense these supplies were furnished. If any of the men are entitled to compensation, all are. The case of the Minister would be much stronger if he had paid the claims of the municipalities, which he does not pretend to have done. Therefore, the position is this: that the Department have taken advantage of the liberality of the counties of York and Simcoe to escape payments which in other cases they seem to have no difficulty in making. That is not a proper position for the Government to occupy. With regard to the Major spoken of, I can only assume, from the circumstances, that he acted upon representations made by Col. Windham, who commanded the York portion of the battalion, and who probably did, upon being asked, make the answer referred to. If the Minister wished to obtain proper and direct information in the matter he should have taken a direct course, and instead of asking the Major—

Sir ADOLPHE CARON. I did not ask the Major; I got the report from the Major General.

Mr. O'BRIEN. The proper course would have been to ask me, and not to have taken a hearsay statement from the Major, who may or may not have been acquainted with the facts. The facts are these, and I earnestly ask the Minister of Militia to reconsider the case, as it is due to himself and the Government he should. In the first place, when we left home, we never expected, and I do not think any of the men expected, to get payment for the clothing they had furnished themselves—that is to say, the articles furnished outside the ordinary issue of the Government. The county council of Simcoe very liberally furnished us with some articles, in value about one-third of what appears to have been paid out to the men by the Government. The county of York also gave their men something, in value, perhaps, about the same amount. When we came back, we found that the men of the Queen's Own and the 10th were signing pay-sheets issued by the Department, and were about to get certain money in compensation for clothing. It occurred to us, that if the 10th and the Queen's Own, who stood in the same position as we, because they had been assisted in their outfit by the city of Toronto, were entitled to an allowance, we were also entitled to it. It did not occur to us that any difficulty would be made in granting this allowance, because our friends in the county had assisted the men in obtaining an outfit. I spoke to several gentlemen connected with the Department, and their answer was, in the first instance, of course all will be treated alike. I naturally communicated that information to those interested. I told them I had no doubt payment would be made, and they, on their own responsibility, without instructions from me or the Department, issued those pay-sheets, and I wish it to be understood that the Minister is not responsible in any way for the issue of the pay-sheets. Subsequently the matter was referred to the Claims Commission. I said to the Department, this was not a matter for reference to that commission. Either the Department ought to have issued the allowance or it ought not; it was purely a departmental matter. The answer of the Minister is not satisfactory, because he has not shown any substantial difference in the position of the men of one part of the force compared with that of the men of the other part. It does not matter

from what source the men obtained their outfit. If the men who had purchased theirs from the stores were entitled to compensation, those who obtained it, partly from the stores and partly through the assistance of their friends, were equally entitled to compensation. I hope the Minister will reconsider the matter.

Mr. EDGAR. I brought up this matter in this House some weeks ago, by a question to the Minister, in reference to what had been done in the case of the Toronto battalions, on the receipt by the Department of pay sheets which I had heard were signed by the men. Until just now, I thought that these sheets had been sent out by the Department; and I supposed it was extraordinary conduct on the part of the Department to issue the sheets and have them signed and then refuse to pay the men. It is not too late to rectify the wrong done. I believe the municipality of Toronto also made a formal claim on the Department to be paid this kit money, and the claim was not recognised. There is another argument in addition to that advanced by the hon. member for Muskoka in favor of these men getting their kit allowance. The Major of the battalion must have gone beyond his duty when he suggested to the Department that the battalion had no right to get the allowance.

Mr. TYRWHITT. As the Major of the battalion has been alluded to, I may say that I was one of the two majors of the battalion, but not the one by whom the communication was sent to the Department. I have argued from the first that the men were entitled to the allowance. I have not taken the active part in dealing with the Department that I possibly might have done had Col. O'Brien not been here to approach the Department. At the same time, I am possibly more interested than he, from the fact that the men claiming the allowance come principally from my neighborhood. Only last night I received a communication from one of the captains reminding me that I had guaranteed his allowance, and that owing to my having given this guarantee he had advanced it to his men, and he still holds me responsible for the amount. Only to-day I went to the Department with the view of seeing whether it was possible this grant might be made to us at an early day, as my memory has been jogged by being held responsible for what the captain had advanced to the men. I always considered we were entitled to the allowance, from the simple fact that it has been granted to other battalions, and because it is the ordinary rule to make these grants to men on active service in the field, and also from the fact that the men receiving fifty cents a day were making great pecuniary sacrifices, for which this paltry allowance did not remunerate them, except in a very small degree.

Sir ADOLPHE CARON. I wish to rectify one statement which has been made by the hon. member for Muskoka (Mr. O'Brien). The hon. gentleman complained of this matter having been brought under the war commission instead of having been dealt with by the Department. The reason why it was brought before the war commission is that we have applications from a large number of municipalities who had in some instances given a good deal, and in other instances had given something less, and who claimed from the Department to be reimbursed. As I viewed it the only practicable way of dealing with it was to have these claims investigated, and a report made to me, so that I could look into the matter and ascertain what had been done. In the case of the Toronto battalion, as the hon. gentleman can easily find out, the amount of money paid out was paid directly for kit articles which were purchased for the men, and the municipality was not in any way considered. The hon. gentleman is quite correct in stating that a claim was made by the municipality, but, in the case of that municipality, as in the case of every other municipality, the application was refused. I must say, for my hon. friend who has just taken his seat, that he has been

time and again before the Department urging his claim, and certainly, if it has not been granted, it is not in any way due to a lack of insistence on the part of my hon. friend from Muskoka (Mr. O'Brien) or my other hon. friend who has just taken his seat (Mr. Tyrwhitt).

Sir RICHARD CARTWRIGHT. I may not quite correctly have apprehended the statements which have been made, but, if I did correctly understand them, the information which the Minister of Militia received appears to have been received, not from the Colonel in command, but from a subordinate officer. If that was the case, it appears to me that a breach of military etiquette, to say the least, was committed, and that the officer in command had some right to complain. The officer in command is the party with whom the Department ought to communicate in respect to claims of this kind, and, as I understand, he was not consulted; and an inferior officer—not the hon. gentleman who spoke before the Minister of Militia, but the other major—appears to have been consulted, and in consequence rather incorrect information seems to have been given to the Department as to the claims of the battalion, which have not been granted. If that be correct, I think the Department of Militia, or the person who is charged with communicating with the commandant of the battalion, certainly went out of his way, and rather threw a slur on that officer.

Mr. MULOCK. It is understood, I believe, that the Minister will bring down the reports?

Sir ADOLPHE CARON. Yes, and I think it is much more satisfactory to deal with the matter when the reports come down, because it is inconvenient to make statements from memory. I may say, however, that the hon. gentleman will find that the Department of Militia did not go out of the ordinary way in getting the information which was required.

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Care of Archives..... \$6,000

Sir RICHARD CARTWRIGHT. I observe, in connection with that, that last year there was an item which, in looking over the Auditor General's report, I do not quite understand. I see under the head of expenditure of London office the following entries: Copying archives, \$1,080; comparing, \$2,384. It appeared to me that these two items ought to have been reversed, that the copying of the archives ought to have engrossed a much larger portion of our vote than the comparing of any archives, but nearly two and a-half times as much is spent for comparing as is spent for the service of copying and adding useful papers, or interesting papers, at any rate to our library. I should like to know if the hon. gentleman or the officer in charge knows how such a thing came about.

Sir CHARLES TUPPER. I will give the hon. gentleman the information when we meet again at 8 o'clock.

Expenses in connection with *Patent Record*..... \$9,500

Sir RICHARD CARTWRIGHT. I would like to enquire whether this printing of the *Patent Record* is part of the contract with Burland's Lithographic Company, or whether it is granted to them by the Department without tender. The chief work is done by Burland's Lithographic Company. I want to know whether that is under contract, or how that company comes to receive the work?

Mr. CARLING. I understand that it is part of the contract with the Burland Lithographic Company,

Sir RICHARD CARTWRIGHT. That is to say, the contract which was renewed lately for a period of four or five years.

Mr. CARLING. No, I think it is a separate contract.

Sir RICHARD CARTWRIGHT. If it be not the same contract, I desire to know from the Minister when this contract was granted, and how long it runs.

Mr. CARLING. I am informed by my officer that it expires next October.

Sir RICHARD CARTWRIGHT. How long did it run—five years?

Mr. CARLING. Three years.

Expenses in connection with preparation of criminal statistics.....\$4,000

Mr. JONES. I see two items here, one for criminal statistics and one for health statistics. How is that money spent? I thought that expenditure for statistics had been abolished.

Sir CHARLES TUPPER. Not with regard to these two items.

Mr. JONES. The Minister of Finance will remember that at one time we had a statistical officer in Halifax, but that was abolished.

Sir CHARLES TUPPER. That had no reference either to health statistics or to criminal statistics. It was the registration of births, marriages and deaths.

Mr. JONES. Where is this money spent?

Sir CHARLES TUPPER. The amount for criminal statistics is expended under the direction of the Department of Justice.

Mr. JONES. In each Province?

Sir CHARLES TUPPER. It covers the whole Dominion. It has reference to the criminal statistics of the whole Dominion.

Mr. DAVIES. I can understand how the expense of collecting statistics in the Health Department may be incurred, but I cannot quite see how we incur \$4,000 for the preparation of criminal statistics, because they must be furnished to the Department by the different officers throughout the Dominion. The hon. gentleman sees that these statistics are furnished by the stipendiary magistrates and clerks of the courts, as a matter of course, and as part of their official returns which they make to the Department of Agriculture. The increase of \$1,000 does not apply to that Department alone. A great part of it the hon. gentleman charges to that special branch, extra clerks, \$1,800, and he charges sundry persons for statistical returns \$1,100. I suppose that is paid to persons throughout the Dominion for making returns. But these returns, I understand, are made by these officials without pay. While the hon. gentleman is explaining this matter to me, he might also explain how it is that he asks for an increase of \$1,000 over the expenditure of that branch of his Department for the past financial year of which we have an account?

Mr. CARLING. I do not understand that we ask for any increase in this vote as stated by the hon. gentleman.

Mr. DAVIES. Oh, yes. The hon. gentleman expended in the year 1885-6, \$3,000, and he is now asking \$4,000 for the same purpose. Now, I want to know what has caused the increase.

Mr. CARLING. The expenses vary. Some years they are greater than others.

Mr. CARLING.

Mr. DAVIES. Will the hon. gentleman answer my question? Where is this money paid, and who is it paid to?

Mr. CARLING. It is provided for by statute. This amount of \$1,800 is paid to the clerks of the Department.

Mr. DAVIES. That is all right, I have not sufficient information to form a judgment as to whether that \$1,800 is the correct appropriation or not—I assume it is. I am not talking about the charge of \$1,800 paid to extra clerks in his Department. That is only a small portion of the expenditure. There is \$1,173 paid to sundry persons for statistical returns. I want to know who these sundry persons are. Are they stipendiary magistrates and clerks of the courts?—because they make returns without pay.

Mr. CARLING. I understand the amount is paid to the clerks of the courts and the officers supplying the information. That is provided for by statute.

Sir CHARLES TUPPER. Their fees and the amounts vary according to the number of cases.

Mr. DAVIES. I think the hon. gentleman is mistaken. Of course I accept his statement.

Mr. CARLING. I am advised by the officers of the Department that such is the case.

For expenses in connection with Dominion Exhibition \$10,000

Mr. DAVIES. Where is it to be held this year?

Sir CHARLES TUPPER. At Toronto.

Sir RICHARD CARTWRIGHT. Who are the parties to whom it was paid last year? I see it was not all paid to one gentleman, but to two last year.

Mr. CARLING. It was paid to the Sherbrooke Exhibition last year, and to the London Exhibition the year before, where the Provincial exhibition was held. This year it has been promised to the Toronto Industrial Exhibition.

For expenses in connection with Health Statistics....\$10,000

Sir RICHARD CARTWRIGHT. I would like to know on what principle the hon. gentleman regulates such a payment as this. Sundry persons, 19,056 death certificates, at 15 cents each. Are these the statistical officers who receive, in addition to the sums afterwards put down against the names, the amount of \$3,367? Who has to make out these death certificates? In what manner is the hon. gentleman distributing this \$2,858 which went for 19,000 death certificates?

Mr. CARLING. I understand that the health officers of the different cities pay so much to the keepers of the cemeteries for information as to the number of deaths, and so much is allowed to the officer in each city for the information furnished. The fees are regulated by an Order in Council passed some years ago.

Sir RICHARD CARTWRIGHT. What places do these 19,000 deaths apply to? Are they places where officers are appointed?

Mr. CARLING. The hon. gentleman will find, in the Auditor General's report, the different places and the amounts paid to each officer.

Sir RICHARD CARTWRIGHT. The names of the officers are there, but not the sums paid them. If the hon. gentleman looks he will see it reads: "Sundry persons, 19,056 death certificates, \$2,858," then there is a series of some 20 gentlemen distributed throughout Canada.

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

After Recess.

Sir RICHARD CARTWRIGHT. Before recess I was calling the attention to the Minister of Agriculture to the item health statistics, and I desire to know how that particular charge of 15 cents for each of the 19,000 odd deaths was arranged?

Mr. CARLING. The caretakers of the cemeteries in the different towns and cities are paid 15 cents per death.

Sir RICHARD CARTWRIGHT. Do these return represent the mortality at Montreal, Quebec, Ottawa and other points?

Mr. CARLING. Yes; all the cities named in the Auditor's report.

Sir RICHARD CARTWRIGHT. This sum is altogether too small to obtain anything like correct health statistics for the whole Dominion. It would be better, in my opinion, if the expenditure were confined to a number of places selected in each Province, so that we could obtain the statistics with some degree of accuracy.

Sir CHARLES TUPPER. Statistics with respect to the principal cities?

Sir RICHARD CARTWRIGHT. Yes.

Mr. CARLING. It is so now.

Sir RICHARD CARTWRIGHT. Do you think accurate statistics are obtained for these cities?

Mr. CARLING. They are confined to all cities and towns over 5,000 inhabitants, where a health officer is appointed by the corporation.

Sir RICHARD CARTWRIGHT. Do 19,056 deaths accurately represent the annual death rate in those cities?

Mr. CARLING. Yes, I think so. The statistics are taken by medical men.

Sir RICHARD CARTWRIGHT. The statistics are simply the burials in the cemeteries attached to the cities. The return is roughly accurate, I dare say; but a very considerable number of persons are buried in the cemeteries of large towns who do not reside within the bills of mortality of each town, and, therefore, we cannot rely on these statistics as giving a strictly accurate death rate for the various towns and cities.

Mr. WILSON (Elgin). I understand that the means of collecting the statistics is to obtain returns from the various cemeteries by visiting them, and obtaining from the caretaker the number of burials that have taken place.

Mr. CARLING. Not by visiting the cemeteries, but by arranging with the caretaker of the cemetery to keep a record of the burials, and pay 15 cents for each.

Mr. WILSON (Elgin). The collectors exercise no discretion as to the classification of burials, and, therefore, the record obtained by the Government is a very imperfect one. Is not this payment a liberal one for collecting the names from the clerks, and reporting the deaths to the Minister of Agriculture? The system under which this amount is expended is virtually useless so far as regards obtaining reliable information, and if some other method of obtaining information is not adopted, this appropriation will be virtually wasted. I would have no objection to the vote if proper means were adopted whereby the Government would obtain that which would be of use to the country; but, under the present system, the money is simply squandered. It is not pretended that the work of the physician who collects the statistics by merely going into a clerk's office and obtaining the number of burials is worth \$100 a year and upwards. The Government ought to devise some systematic method whereby they can utilise this money in the

public interest and not squander it after the present manner. If they would join with the various township boards established throughout Ontario and thus obtain reliable information, the grant would be a benefit; but the course now pursued is perfectly useless; no benefit accrues from it and no information is obtained for the benefit of the country. I observe, moreover, that the grant is increased, that last year the amount expended was some \$7,000, this year they ask for \$10,000. The committee should have some information as to what is intended to be done with this increased amount.

Mr. CARLING. The estimate this year is the same as last year, \$10,000. Other towns are coming into the arrangement and appointing health officers; and there might be an increased number of burials this year, as compared with last. Because \$10,000 is voted, it does not follow that the whole amount will be expended.

Mr. WILSON (Elgin). I understand that point, and that the Government may require a larger amount this year than last; but the Minister must have some definite idea as to how he intends to extend his operations, and why he considers an increased amount necessary. Am I to understand that the Government expect a much larger number of deaths this year on account of the increase of population? It may be so, for the Minister is arranging for collecting reports of a larger number of burials. Is that the data on which the committee is asked to grant \$2,000 more than was required last year? It is a very indefinite reply.

Sir CHARLES TUPPER. There is no doubt there is a great deal in what the hon. member for South Oxford (Sir Richard Cartwright), and the hon. member for East Elgin (Mr. Wilson), have said. But I am quite sure I need not say to either of these gentlemen, that it is impossible to have any adequate health statistics in this wide Dominion with an appropriation of \$10,000. The Government considered this in the past, and a somewhat elaborate scheme was prepared by the predecessor of my hon. friend, who is now Minister of Agriculture and Immigration, but it was found that to carry out anything approaching a thorough system of vital statistics would involve a very large expenditure. All that we can possibly aim at, over an extensive country like this, by an appropriation of \$10,000, is to found the nucleus of a system to provide for having such vital statistics as may be obtained without any large expense. My own impression is, speaking with some knowledge of the subject—and it is a matter of vital importance—that the question of having a thorough and extended system of health statistics will force itself upon the attention of the Government, and will have to be provided for by a carefully prepared scheme which will really accomplish the object we have in view. It is very necessary that every country should have such a system. There is no doubt that in the Province of Ontario they have given a great deal of attention to this subject, and that they have a very advanced system of collecting vital as well as other statistics. I think they are probably a good deal in advance of most of the other Provinces, although Quebec has also arrangements for carrying out that work. In the other Provinces, however, I fear there is not very much done by the local authorities, and I believe the time is not far distant when it will be absolutely necessary to have a carefully prepared scheme by which such a system will be carried out much more efficiently than is possible with so small an appropriation.

Mr. WILSON (Elgin). I think what the hon. gentleman says should lead the Government to consider whether they should not make an appropriation to each of the Provincial Governments, and allow them to do the work. They will be able to do it much more efficiently than it can be done by the Dominion at large. If a reasonable amount was appropriated to the boards which are established in the

Province of Ontario, and I think in the Province of Quebec, the sum required would not be so large as the Minister appears to think necessary for the collection of these statistics, which would be of great benefit and use to the Dominion.

Establishment and maintenance of Experimental Farms\$90,000

Sir RICHARD CARTWRIGHT. This is a very considerable sum, and a very important question. I desire to obtain from the Minister in charge, or from the Finance Minister, a statement of what has been done with the \$30,000 voted last year, and what is proposed to be done with the \$90,000 which is now asked for?

Mr. CARLING. I may say that an experimental farm of some 465 acres has been purchased in the vicinity of the city of Ottawa, which the Government are now fencing, and upon which they are preparing to erect buildings. The greater part of the expenditure this year is for the erection of buildings on the farm. I may say that it is intended to establish experimental farm stations, one in the Maritime Provinces, one in Manitoba, one in the North-West Territories, and one in British Columbia. This money will be used for the securing of sites for the experimental stations, and making improvements on them and the central station.

Sir RICHARD CARTWRIGHT. What was the cost of the 465 acres bought, and from whom was it purchased?

Mr. CARLING. It was purchased from different parties. Some of the land was purchased from Mr. Booth at \$100 per acre, and the price of other portions had to be referred to arbitration. Altogether it will, I think, cost about \$130 per acre. The total cost will be something like \$60,000 or \$65,000.

Sir RICHARD CARTWRIGHT. What buildings are upon it?

Mr. CARLING. There are none of any consequence; some old barns and other small buildings which must be taken off and new buildings erected.

Sir RICHARD CARTWRIGHT. An average price of \$130 an acre strikes me as a very high figure to pay for farm land in the vicinity of Ottawa. Whether it is necessary to have it in what you may call the suburbs of Ottawa is doubtful, but I would remind the hon. gentleman that land can be purchased in the most fertile districts of Ontario with very good farm buildings upon it, at \$60, \$70 or \$80 an acre.

Sir CHARLES TUPPER. Not so near a city as this.

Sir RICHARD CARTWRIGHT. Well, I am not so sure about that.

Sir CHARLES TUPPER. This is about three miles from where we are.

Sir RICHARD CARTWRIGHT. I don't know that that is any great advantage.

Mr. CARLING. Oh, yes, it is.

Sir RICHARD CARTWRIGHT. Well, I am not so certain about that; but even in the vicinity of very considerable towns, farm land of good quality and with good buildings is obtainable at the rates I have mentioned. From whom was this land purchased? I suppose it was mostly bought from two or three persons, and not in a number of small parcels.

Mr. CARLING. The first purchase was made from Mr. Booth at \$100 an acre, which was considered a very reasonable price, considering the situation. The situation is a most beautiful one; the farm has the different kinds of soil required for experimental purposes; it is convenient to the railway and Rideau Canal—in fact the railway runs across one corner of it—it is within three miles of the Parliament buildings,

Mr. WILSON (Elgin).

so that it is very convenient in the way of hauling manure from the city, as well as in other respects. We have been obliged to refer the price of some of the land to arbitration, and in every case the figures fixed by the arbitrators have been higher than the rates which we offered. Although we have purchased from five or six different parties; the cheapest lot was all purchased without arbitration, and many persons who were called as witnesses valued it at more than double what we paid for it.

Sir RICHARD CARTWRIGHT. What amount do you expect to pay for the buildings which will have to be erected, for the stock, agricultural implements, and everything of that kind which will be wanted for the business? It is clear that if the other farms are to be established on an equally handsome scale with this, the experiment will involve a very heavy charge. But I would like to know in the first instance the cost of additional buildings, as well as of the agricultural implements and stock the hon. gentleman proposes to put on.

Mr. CARLING. It is expected that the total cost of land, buildings, agricultural implements, horses and stock of different kinds, will be about \$160,000 for the central farm.

Mr. FISHER. How much land was there in the first purchase?

Mr. CARLING. About 146 acres.

Mr. FISHER. The hon. gentleman says that the price of land was \$130 an acre. I am aware that in the immediate vicinity of Montreal, which is considered to be probably the best farming district in the Dominion of Canada, the average price of the best farms is not over \$100 per acre, and it surprises me that in a place where land is not in the same demand, and where the local market is not so great, it should bring so high a price.

Mr. CARLING. It depends on the situation.

Mr. FISHER. I am speaking of the district near Petite Côte, which is considered the best farming district about Montreal, and is within easy access of the city, and it is used for the purpose for which the most fertile land in the neighborhood of a large city is used, that is to say, for market gardening. I know that large farms there have been sold for \$100 an acre. The expense of this experimental farm is certainly mounting up very seriously, and although I was quite prepared last Session to endorse the establishment of this farm, I think the fears which I then expressed, that the hon. gentleman might go a little too fast, have been realised.

Mr. SPROULE. I think the hon. member for Brome could not have prosecuted his investigations around here as to the value of land very actively, or he would have known that \$100 an acre is a very small price. I may say that the hon. member for North Simcoe and myself have been making a good many enquiries about the value of land in this neighborhood, and we have found that land within five or six miles of the city, near Aylmer, rather inferior land too, could not be bought for less than \$100 an acre; and farms were pointed out to us that would bring \$150 an acre. I know that in my part of the country, there are farms 100 miles from Toronto that could not be bought for less than \$100 an acre—cleared farms with fair buildings upon them. I may say that in different directions in this country farmers value their farms at from \$100 to \$150 an acre; and when you consider the importance of this enterprise of an experimental farm, the price paid has been very small. There is no interest in the country that so much needs the close attention of this House to-day as the agricultural interest. There is a feeling in different parts of the country that the subject of seed grain and various other matters in connection with agriculture need investigation, and the

hon. Minister I think ought to be commended for the step he has taken. The farm is only the nucleus of what will in time be a very valuable institution. I know that the farmers of my district, who have been applying year after year to the Local Government to bring in seed grains and test them, and have been refused, hail this step as one of vital importance to the country. The distribution of seed grain appears to have taken very well with the farmers. If the institution develops, as we hope and expect, it will be one of the most important institutions in the Dominion of Canada.

Mr. DAWSON. I think it is very desirable that this system of experimental farm should be extended. It has been attended with a good deal of success in the Province of Ontario, where it has been tried by the Local Government, and I think it should be gradually extended, not at once, but in the course of time, to the different parts of the Dominion. I think, above all, that it should be tried in the new districts, so that the settlers could get an example of what they should do in the way of treating soils and in other respects. In the great central district of Algoma there is a great deal of good land. Along the north coasts of Lake Superior and Lake Huron there are occasional areas of excellent land, which are now beginning to return good crops, and I think we should have an experimental farm in that part of the country. In the Thunder Bay district the climate differs very materially from that which prevails in other parts of Canada, owing to the vicinity of the great lake. The spring is cold, but it is more than offset by an exceedingly open fall. The immense area covered by the inland lakes is a guarantee against frost. The water gets highly heated in these inland lakes in summer, and cools but slowly in the fall, and thus largely saves us from early frost. There is an immense region, extending from the Georgian Bay to the head of the great lakes and through to Keewatin, a distance of more than 1,000 miles, and I think it is very desirable that agricultural experiments should be made in that country to see what it will produce. Those experiments should be carried on scientifically as well as practically, as I have no doubt they would be. I would very much like to see the system extended to the interior.

Mr. JONES. I do not object to the purpose for which this expenditure is asked, although I was under the impression that experiments of this kind were rather within the province of the Local Administrations. However, since the Government have inaugurated a policy of this kind, I would like to ask the hon. Minister of Agriculture whether it is proposed to extend the system to the Maritime Provinces. The hon. gentleman is aware, I suppose, that we have farms of equal fertility in Nova Scotia, New Brunswick and Prince Edward Island. And if the Government are inviting expenditure to the amount asked for by this vote, I venture to hope they are not going to leave the Maritime Provinces without an experimental farm in some central locality.

Mr. CARLING. The interests of the Maritime Provinces have not been overlooked. It is the intention to establish an experimental farm station for the three Maritime Provinces, and a sum has been put in the Estimates with a view to making a commencement.

Mr. FISHER. With regard to what the hon. member for Grey (Mr. Sproule) has said as to the value of property in this neighborhood, I did not make enquiries into the price of land in the neighborhood of Ottawa.

Mr. SPROULE. I understood the hon. gentleman to say Ottawa.

Mr. FISHER. The hon. gentleman misunderstood me. I venture to say, however, that any land of the high price

quoted by the hon. gentleman would have buildings upon it.

Mr. SPROULE. No; no buildings and inferior land at that.

Mr. FISHER. I am inclined to believe then that the owners must be holding it for purely speculative purposes. I am sorry to see this expenditure reach its present proportions. I am well aware that when the Minister of Agriculture proposed this new departure in the way of experimental farms, I was very glad to endorse his proposition, because I believed it was necessary, in the interests of the agricultural community, that something of this kind should be done; but at that time I protested, as I do now, against a very large expenditure being made on experimental stations in the various parts of the country. The view which I hold, and which I believe was embodied in the report of the committee of which I had the honor to be a member, made in the Session of 1884, was chiefly that such scientific experiments as were beyond the reach of ordinary farmers, or men without scientific education and without the facilities or appliances necessary to make scientific and accurate experiments, should be undertaken by competent men at a central experimental station; but I thought then, as I think still, and I believe that was the idea that governed the committee, that these experiments should be such as could be taken in one place for the whole Dominion; that is to say, such experiments as would not require to be repeated in all the different sections and localities of our extensive country. But if the experiments are to be repeated in every locality, where the character and soil and climate may be different from those of other localities, it will be better to let the local authorities carry out such experiments. I believe there are a very large number of scientific experiments which require for their carrying out men of high scientific attainments, whose services we cannot get without a considerable expenditure of money, and whom it would be impossible to find in sufficient numbers to carry out these various experiments in the various Provinces—such experiments as these might well be made in the central station here. The results could be spread broadcast among our farmers throughout the Dominion, so that they might benefit by them, by means of a system of distribution of bulletins, or by means of weekly or monthly reports. The hon. the Minister of Agriculture has said, in reply to the hon. member for Halifax (Mr. Jones), that it is still the intention of the Government to establish branch stations in the Maritime Provinces. I believe it was suggested last year that one should be established in the Maritime Provinces, one in Manitoba, one in the North-West Territories, and one in British Columbia; and I then outlined what I believed to be a very much more practical and inexpensive mode of obtaining all the results that would accrue from the establishment of these branch stations. After all, these branches will only serve the country in their immediate neighborhood, in so far as the experiments of growing crops, which depend on the climatic conditions and soil, are concerned. But a series of experiments might be carried on under a system by which this central experimental station would send out to every constituency in the Dominion seeds or artificial manure to be tested upon the soils in the various localities. I believe a system of this kind could be inaugurated, by which we could get absolutely complete returns of experiments throughout the Dominion. The system could be cheaply and easily carried out by means of the assistance of members of this House, each of whom would recommend to the Government some one individual or two in his own constituency qualified to carry out such experiments. Such experiments ought not to be trusted to the average class of farmers, but to men who would be willing and able to carry out to the letter the

instructions sent to them by the central experimental station, so that the reports sent in could be compiled, and issued in compiled form to the agriculturists of the whole country. The results under this system would be more satisfactory and complete than by the method proposed of having four or five experimental stations scattered over the various Provinces. Judging by the estimate of to-day, I am still more confident than I was last year that the system I propose can be much more cheaply carried out than the one adopted. Before closing I would like to ask the Minister of Agriculture, as he proposes here an outlay of some \$90,000, if any proportion of this is to be laid out upon branch stations, or whether all is to go to the central station.

Mr. CARLING. I have said that a portion of the money was to be laid out in improving the central station, and a portion in establishing experimental stations in the various Provinces. The hon. member need not be alarmed about the expenditure on these stations. I think I stated to the House last year about what it would cost to establish them in the different Provinces and we are only carrying out the scheme then adopted. In Ontario, the capital account of the agricultural college is now something in the neighborhood of \$400,000, and I would say that the capital sum of the central farm station and the four experimental stations will not exceed \$300,000. I think the hon. gentleman has perhaps not read the report of Professor Saunders, for in that he will see that the plan to which he refers is recommended, and that Professor Saunders proposes that these experiments shall be made here at the central farm, and that bulletins shall be issued frequently and distributed to the farmers in every Province throughout the Dominion. But we think it necessary to establish an experimental farm station in the Maritime Provinces on a plan somewhat different from that here, and also stations in Manitoba, the North-West Territories, and British Columbia. The expenditure in each of the Provinces will not be so great as that on the central farm, where all chemical tests and experiments of that kind will be made; but in the outlying stations we will have an agriculturist and a horticulturist at the head of those employed on the farms. The chief experiments and scientific tests, however, will be made at the central farm.

Mr. FISHER. If this is the case, if this system which I advocated last year is to be carried out practically—

Mr. CARLING. It was in the report of last year.

Mr. FISHER. I know it was in the report of Professor Saunders, but I did not know it was to be immediately carried out. I am very glad that it is to be carried out, but, if the scientific chemical experiments are to be carried on here, I cannot see the use, at all events for some time to come, of the establishment of these branch stations.

Mr. CARLING. I think it is most important, especially in Manitoba and the North-West, to have agricultural experiments carried on, because a new settler going there does not know to whom to go for advice, as to what kind of grain he should use, at what time he shall plough, or in what kind of way the farm should be cultivated. They want some one to go to for advice, and we believe that having first class men at the head of the agricultural and horticultural departments in the experimental farm, they can be of great service to new settlers.

Mr. WATSON. I agree with the statement of the Minister of Agriculture that it is of the utmost importance that this branch experimental farm should be established in Manitoba. To my mind, it is even of greater importance to have one of these experimental farms in Manitoba and the North-West, than it is to establish the central farm in Ottawa, because that is the country where they want to instruct settlers how to operate their new farms, and that is the country the Government are looking to with a view to locate settlers

Mr. FISHER.

and increase settlement. But while I approved of this step being taken last year—I believed it was in the right direction at that time, and I think so still, that these experimental farms in the different Provinces might be conducted with greater advantage by the local organisations than from headquarters here in Ottawa—I think, if a certain amount of money was voted to the Provinces and these farms were operated under the control of the Board of Agriculture of each Province, they would give better results than if they are operated from headquarters in Ottawa. I would like to ask the Minister of Agriculture if it is his intention to commence operations on the farm in Manitoba this year?

Mr. CARLING. Yes.

Mr. WATSON. Has the location of the farm been decided on?

Mr. CARLING. No, it has not.

Mr. WATSON. If the hon. gentleman has not decided on the location of the farm, it will be very hard to start operations this year.

Mr. CARLING. We do not expect to commence to farm this year, but we will secure the land, and put up the buildings, and be ready for next spring.

Mr. WATSON. I will inform the Minister of Agriculture that unless he gets the land almost immediately, and breaks it, he will have very poor success next year. It is necessary to break the land, and backset it, and get it ready for crop, and that should be done in June.

Mr. CARLING. We cannot secure the land without the money.

Mr. WATSON. I should have hoped that it could be paid out of the money voted last year. That would have been sufficient to purchase the land. The hon. Minister visited that section last year, and I had hoped that he made some notes in order to enable him to select the farm. I fear it will be of very little use next year. If it is not purchased immediately, and the prairie broken up and cultivated, it will be of little or no use next year. I say it would be much better in the interests of the country as a whole that a certain portion of the money that has been voted and expended on the central farm in Ottawa should be expended in establishing this farm in Manitoba, because it is of the utmost importance that all the information possible should be given to immigrants and new settlers. And more than that, all the farmers in that country to-day are experimentalists. I approve of the plan of securing a quantity of Russian wheat and sending it out there for experiment. Wheat farming is more important than anything else there, but I think that trees which can be grown with advantage should be experimented upon. I urge upon the Minister of Agriculture that he shall have the farm in Manitoba established at the earliest moment, and then I hope a selection of good lands will be made, where the best results will be secured.

Mr. DALY. When the last gentleman rose, I was about to state almost what he has stated, that I think it is highly necessary in the interests of the Province of Manitoba and the North-West that this experimental farm should be established as early as possible, not only in regard to the question of agriculture, but also in regard to horticulture. It is necessary on our prairies, which as hon. gentlemen know, are denuded of trees, that experiments should be made not only as far as the forest trees are concerned, but in relation to fruit. We have certain wild fruits there, and it is believed that, if grafts are made on certain wild fruits, we will be able to grow fruits in that country which are not thought of at the present moment. As to the location of the farm, I think the Minister of Agriculture will give credit to the members on this side of the House from

Manitoba, that they have urged the early location of that farm periodically and systematically on the Government. If there is not sufficient money to purchase that farm now, we hope that the farm will be purchased at as early a date as possible, so that a beginning may be made this year. As to the wheat which has been distributed, I am satisfied, from the replies I have received from those to whom I sent the wheat, that they are delighted with the sample; and I think the last speaker will agree with me that a great question in that country is to get a sample of wheat that will ripen earlier. The frosts we suffered from for a couple of years may not occur again, because it is said that a different system of farming which has been adopted in the last two years will result in our not being affected by the frosts in the future; and, if we can get a grain that will ripen earlier than the hard Fife wheat which is used now, a great deal will be gained. Mr. Saunders says that the wheat which has been sent up comes from a latitude higher in Russia than the latitude in Manitoba, and no doubt, if it ripens there, it will ripen early in our Province. Coming back to the question of the value of the farm purchased here, I think I saw in one of the Ottawa papers a day or two ago that the arbitrators had valued Mr. Stackpole's farm at \$125 per acre.

Mr. CARLING. \$126.

Mr. DALY. \$126, and, taking the statement of the hon. member for North Wellington (Mr. McMullen) the other day, that the lands in Ontario had lessened in value, I will quote from the report of Mr. Blue, of the Agriculture Department of Ontario, who says that the value of farm lands in that Province have increased by twenty-two millions in 1886 as compared with 1885, and this increase was not due to increased acreage only, but that the value per acre increased. In the March report of the Washington Department of Agriculture, it is stated of New York State as follows:—

"On the whole, farmers are more in debt than they were ten years ago. There are a large number of farms which were purchased a few years ago and mortgaged, which now would not sell for more than the face of the mortgages, owing to depreciation of the farming lands which, on an average, is fully 33 per cent. in ten years. Probably one-third of the farms in the State would not sell for more than the cost of the buildings and other improvements owing to this shrinkage."

I merely give this extract from Mr. Blue's report to show that instead of farms in Ontario being depreciated in value, they have increased; and I think if the hon. gentlemen opposite, who possibly know more about farming than I do—because I was told in the House the other night that I was a lawyer and knew nothing about farming—if they visited that farm and compared it with other farms in Ontario, they will find that the Department of Agriculture has not paid any more than the land is worth.

Mr. JONES. I would like to ask the Minister of Agriculture if the establishment of an experimental farm in the Maritime Provinces is included in this vote, whether the Government propose making a commencement this year, or whether any enquiries have been made on the subject already; also, whether he can tell me at what place in the Maritime Provinces they propose establishing this farm?

Mr. FERGUSON (Leeds and Grenville). With reference to the value of land and to the remarks of the hon. member for Brome (Mr. Fisher), there seems to be some doubt as to the correct value of this land. I know, as a matter of fact, that farms two, three and four miles further from the city of Ottawa, and on the bank of the same canal, have changed hands for purely farming purposes within the present season, some for \$125, and one for \$150 an acre, for a 150-acre farm. The buildings were very inferior, because they were occupied by old people, but they were bought by younger men with a prospect of a longer life before them. I was agreeably surprised to hear from the Minister of Agri-

culture that the cost of this farm only averaged \$130 an acre. I feel confident that if the Government offered that farm for sale to-morrow, at a price of \$130 per acre, on the average, with the large bonus included, they would have scores of applicants for purchase.

Mr. CARLING. In answer to the hon. member for Halifax (Mr. Jones), I may state it is intended to make a commencement in the Maritime Provinces this year, and a portion of this money is for that purpose. The site has not yet been selected, but soon after the House rises an examination and selection will be made.

Mr. MITCHELL. Is any portion of this vote intended to establish an experimental farm in New Brunswick?

Mr. CARLING. It is intended to establish an experimental farm in one of the Provinces, I do not know which, that will answer for the three.

Mr. MITCHELL. I think Miramichi would be a very suitable place, very convenient and central.

Mr. McMULLEN. I am glad the Government are making an effort to do something in the interest of the farming community. I am sure that if there is any class in this Dominion who deserve that something should be done in their interest by this Government, it is the farmers. There is no section of the electors of this Dominion that have suffered so seriously under the operation of the hon. gentleman's policy, as the farmers.

Some hon. MEMBERS. Oh, oh.

Mr. McMULLEN. Hon. gentlemen may pooh-pooh, but the farmers of this country are beginning to realise that the operations of that policy have been impoverishing them, and will continue to do so. The increase of duties this year on iron will undoubtedly extract from the farmers' pockets more, proportionately to each individual, than it will from the pockets of any other class. I should be very glad indeed to give my assistance in doing something in the interest of the agriculturists. My hon. friend who spoke a moment ago referred to some remark I had made with regard to the value of lands in Ontario, and quoted some statistics from the Ontario reports to show they had increased in value. Now, we know perfectly well that, year after year, the municipalities of the different counties raised the assessment on agricultural lands for the purpose of keeping down the rates to as low a point as possible. These statistics are all gathered from the assessment of the different municipalities; that is the basis upon which these calculations are made. Although by that report the value of land appears to have increased, I know that in the section where I live, and in the counties around me, the value of land has positively decreased. There is not a single money loaning institution in Toronto to-day that is prepared to loan the same amount of money upon the same hundred acres to-day that they would have loaned two or three years ago. That is pretty strong evidence that the value of land is decreasing instead of increasing. I know that lands in my section of the country that sold for \$40 or \$50 an acre three years ago, can be bought to-day for \$30 to \$35 an acre, and cannot find buyers. I should be very glad indeed to be able to report that lands are improving in price, but that is not the case. I sympathise very much with the agriculturists who have suffered very considerably, as I have stated, and they will continue to suffer. Now, Sir, if this experimental farm can accomplish anything for the agriculturists I shall be exceedingly rejoiced, but I am afraid it will only be a hole in which we will bury a lot of money and nothing really will be accomplished. I am glad to hear to-night some hon. gentlemen on this side of the House who support the Government expressing the opinion that the Agricultural College of Ontario has accomplished a great deal of

good in the interests of the farmers of that Province. Why, Sir, for five or six, or seven years, hon. gentlemen opposite poured their hostility upon the Government of Ontario for establishing that farm; they used all sorts of language with regard to the expenditure connected with it, but now they are beginning to admit that it has accomplished something. Now, I would like very much that this farm, in which we are going to bury a lot of money, would turn out to be a success. But I hold that if the Minister of Agriculture would distribute amongst the farmers in some other way some portion of the money that is being extracted out of their pockets, wrongfully so, by the increase of duties; if he were to distribute some of the profits among the agricultural associations, or import into this country a class of cattle that would improve our stock, and a better class of sheep, and give those animals in the way of prizes, or in some other way to scatter them throughout the country so as to improve the various kinds of stock, I say it would be very much better than to spend a whole lot of money in the way you propose to spend it on this experimental farm. You may accomplish something by an experimental farm; I hope you will, and if the farmer gets 10 cents for every dollar he pays he well deserves it. He is paying largely, and he best deserves from hon. gentlemen opposite something in the way of a return, as he suffers so severely. The hon. member for North Grey (Mr. Sproule) said something with respect to the value of farms in his section, and he talks of farms being worth \$100 an acre. I have been through the county of Grey, and, although I admit there are some very desirable farms, still I never saw a farm that would bring that figure, and I do not think there are half a dozen farms in the whole county that would realise it. The hon. gentleman includes buildings.

Mr. SPROULE. Yes.

Mr. McMULLEN. The farm here without buildings has cost \$130 an acre. The Agricultural College farm at Guelph had a good many improvements on it when it was bought, and the Government have added largely, so that now it is in a very desirable shape. It has cost a good deal of money and is an excellent farm, and the land is more valuable than that purchased here. It is within one mile of Guelph, it is in one of the best counties of Ontario, and is one of the most valuable pieces of land within the limits of the Dominion. Under these circumstances, and with the very high state of cultivation into which it has been brought by the efforts of the Ontario Government, it is undoubtedly doing some good; but the most good it has accomplished is by receiving as students the sons of farmers of the Province, and educating them in the different means of utilising the land to the best advantage. The member for Grey said that farmers were beginning to appreciate even the small quantity of seed sent out each year: I obtained five small bags, each weighing about five pounds, and I suppose the other members received a similar quantity, the whole cost of which would be about \$100. That is about all we have got from the farm so far. I observe by a return presented to the House that the Government have engaged a very expensive director to whom they will pay \$4,000 a year. When this amount is paid and we have provided all the attendants and servants necessary, the payments will reach a large sum. However, if it is going to accomplish anything I am glad of it, but I must express my doubts as to whether the farmers are going to be benefited by the operation. If the Government would take a reasonable amount of the money which they extract from their pockets by increased duty on iron, and distribute it in the shape of a bounty on the shipments of grain and cattle, it would be better, for there is no portion of the population who are suffering more from the operation of the present protective policy, whose means have been more reduced and who are

Mr. McMULLEN.

personally and collectively so much pauperised, as are the farmers under the operations of the National Policy.

Some hon. MEMBERS. All rot.

Mr. McMULLEN. The increase in the iron duties is a still further burthen to the farmers. Hon. gentlemen opposite do not like reference to this matter, but the farmers are beginning to awaken to the fact; they are beginning to look into the matter themselves.

Some hon. MEMBERS. They showed it at the last election.

Mr. McMULLEN. Yes, they did. In my own constituency they realised that there was a considerable amount of humbug in the National Policy. They know that the Government take \$1 out of their pockets and return five cents.

Some hon. MEMBERS. In what way?

Mr. McMULLEN. By the imposition of increased duties on everything the farmers purchase.

Sir CHARLES TUPPER. I would suggest that it is hardly fair when we are on an estimate to provide for an experimental farm, for the hon. gentleman to propose to enter into the questions of the tariff and National Policy, I think we should keep to the question, otherwise we shall have to spend all summer here.

Mr. McMULLEN. We are discussing a very important subject. The hon. Minister when he was anxious to get through his tariff resolutions asked us to defer the discussion on some important questions, such as these I am now considering, and we agreed to do so, and he now wishes us to postpone the discussion of this question. It is a privilege which we have a right to exercise.

Mr. HESSON. If every member exercises that privilege we shall never get through.

Mr. McMULLEN. I think this is an important question, and that it is the right time and place to discuss it. I am quite willing to give my vote towards the establishment of an experimental farm and to assist hon. gentlemen opposite in doing anything for the best interests of the farm. I have expressed the opinion that no one in the community deserve more consideration than the farmer, and it is highly desirable that something should be done to help him out of his impoverished condition, for farmers were never in a more impoverished condition than they are to-day, and this is largely due to the operation of the National Policy. I hope that the Minister of Agriculture will proceed carefully with the erection of buildings and will show more economy than he did with respect to the purchase of land, the price of which was altogether in excess of the actual value. I observe the hon. gentleman first purchased 110 acres, and afterwards surrounding land sufficient to make up 460 acres. I have no doubt that by the time the buildings are up and the whole thing in running order, the cost will be as much as the institution in Ontario, \$400,000.

Mr. CARLING. I guarantee that it will not cost half that amount.

Mr. McMULLEN. Although if it is going to benefit the farmer's interest, I should be glad if it cost half a million.

Some hon. MEMBERS. Oh, oh.

Mr. McMULLEN. If, however, you were to take the money and distribute it among the farmers, it would be more advantageous than to sink it in an experimental farm here. If we were to subsidise the different associations by offering prizes and by importing animals and improving stock, much more would be accomplished. We have not spent much in the interest of the farming community, and I am glad to see that such an expenditure has

been commenced. I notice the amounts which other countries have been spending on agriculture, and instead of a paltry \$30,000, which this Government spent last year—and it was the first sum given to the farmers of this country since the introduction of the National Policy—France spent in 1885, upon agriculture, \$20,000,000; Brazil, in 1885, \$12,000,000; Russia, \$11,000,000; Austria, \$5,500,000, and Japan, \$1,000,000. Now, I hope that this step on the part of this Government will be an introduction in the direction of aiding the farming community, for they want aid more than any other class. I have no doubt that hon. gentlemen will hear from some of the farmers in this House, who have had some experience in the matter of the value of lands, and I have no doubt they will be able to put my hon. friend from the North-West (Mr. Daly) right with regard to the increased value of farm property. I am glad to notice that hon. gentlemen are disposed to do a little for the farming community, but I am sorry to say that, spent in the way in which it is to be spent, it will be very largely lost.

Mr. McCULLA. I would not have addressed the House on this occasion were it not from the fact that I represent a constituency adjoining that of the hon. gentleman who last spoke. I must contradict here distinctly the statement he made, and say that, so far as lands in his county and in the county of Peel are concerned, they were never worth more than they are to-day. I can only account for the statements he has made on several occasions, trying to depreciate the value of farms in his neighborhood—as he and his friends have always done in the country—by supposing that he must be speculating in some land property, and that he hopes to be able to attain something by making these statements. For some years past some of the hon. gentlemen on the other side seem to take charge of the farmers; they pose as the caretakers and representatives of the farming community. I tell them that the farmers are an intelligent people and quite capable of judging for themselves, in such matters as these affecting their own interests. I have confidence in the Government and I have confidence in this experimental farm, particularly as it is being established and will be managed by a gentleman who was in charge of the Department of Agriculture in Ontario when the Ontario Agriculture College and farm were established. I hope hon. gentlemen opposite are coming to the conclusion that the farmers of Canada are intelligent men, that they cannot be imposed on by clap-trap, and that they are thoroughly in accord with the Government, as far as the National Policy is concerned. That question was the issue in my own county during the last election, no side issues were taken up, the election was fought on the National Policy and the completion of the Canadian Pacific Railway; and instead of my opponent, who had had the honor of representing the county in this House, being returned, the farmers came forward and voted in support of the present Administration, on account of the policy which they had been promoting since their accession to office.

Mr. McMILLAN (Huron). I desire to say a few words on this question, and I would say, in the first place, that I think it would be much better that the different Provincial Governments should take the matter in hand, than that it should be left to be dealt with by the Government here. I claim to be pretty well acquainted with the working of the college at Guelph. They have recently appointed an advisory board, of which I have the honor to be a member, and I say that, so far as experiments are concerned, they may be tried and prove successful upon some soils while they would be utterly worthless upon a farm with a different soil. I think the Minister stated that the Department had written to some person in the North-West, with respect to the best way to cultivate the land and get it in proper order for crops, but every practical farmer knows that if you have a heavy clay soil you must plough the

land at one season, while, if you have a light sandy soil, you have to plough it at another season, so that it would be impossible, from these experiments, to acquire information which the farmers could follow all the time. The information which the farmers want is that which can only be obtained at a thoroughly practical school, such as that which we have in the Province of Ontario. The work in this direction is going to be of more benefit to the farmers of the Dominion of Canada than any other experiments that can be made. For instance, there are a large number of students who go out annually and they establish what they call experimental unions.

Mr. CARLING. How many go out annually?

Mr. McMILLAN (Huron). The average, I believe, for the last three or four years, has been seventy in attendance, and, as they generally attend for two seasons, that would represent about thirty or forty going out annually.

Mr. CARLING. Are they farmers' sons?

Mr. McMILLAN (Huron). There are more farmers' sons there to-day than there have ever been since the institution commenced. It shows that it is growing in favor with the farmers and that it is one of the best schools we can possibly have for educating the young farmers of our country. Now, there is a certain class of experiments which many say could be carried on, and that is experiments in analysing the soil. I have been in communication with some of the best chemists in the Province of Ontario, and, while they say that it is perfectly possible to analyse soils thoroughly, and tell the various elements that enter into them, yet they cannot tell whether they are suitable to be taken up as plant food, and therefore you cannot tell what artificial manures should be applied. With respect to the valuation of farms, I have been engaged for some time valuing farms in the Province of Ontario, and to say that \$130 an acre for a farm without fences or buildings is only an ordinary price is something that I cannot understand. I have been over one of the best counties in Ontario, the county of Perth, of which the city of Stratford is the centre, and there is only one farm in that county, so far as I could ascertain, that ever sold at a value of \$10,000, and to-day it could not be sold for more than \$8,000 or \$8,500. Now, with respect to the value of land in Ontario, I say that that value is going down.

Mr. CARLING. Is the hon. gentleman not aware that the experimental farm at Guelph cost about \$125 an acre fifteen years ago?

Mr. McMULLEN. That was buildings and all.

Mr. McMILLAN (Huron). There were upon it the buildings necessary to keep the cattle in, up to last year, when they were accidentally destroyed by fire. They were purchased from Mr. Stone, one of the best breeders in Ontario, and he kept some of the best stock in those buildings that has been raised in the Province.

Mr. CARLING. How does the hon. gentleman account for the large expenditure every year for farm buildings?

Mr. McMILLAN (Huron). It is impossible for the hon. gentleman, or any other individual, to put me off the track. We find that the English education given to the young men at the Guelph college is of the very best kind, and for this reason, that in Ontario one of the great evils we have to contend with, when we send young men off the farms and give them a good education, is that they leave the farm and never return. In that respect the college at Guelph is a great improvement on other educational institutions for farmers' sons. I saw a letter within the last few months, written by a young man to his father, in which he stated that he had been in one of our high schools, but that the education he was receiving at Guelph model farm was far

superior to anything he experienced there; that it was not only completing his education but was giving him a thorough training with respect to both the feeding and breeding of animals, and that is something which the farmers need to-day more than experimental stations. Then, when they go out from the farm to the different parts of the country, they meet annually at their experimental unions, they experiment on soils and grains—these grains being sent out to different localities in the Province—they experiment on the various kinds of artificial manures, and at those gatherings they give the results of their experience. That I look upon as something which, in the future, will be of far greater benefit to the farmers than any institution situated in any locality can be, because you get from a number of young men who have been specially trained for that purpose, the kind of information which will lift the farmer out of the mire where he has been for so long a time—information with respect to the true system of cultivating the soil, as well as the feeding and breeding of animals, and that is what we require more than anything else. Now, with respect to the value of land in Ontario, I have heard a great deal from hon. gentlemen opposite with respect to the Bureau of Statistics of that Province, and we have been told that those reports do not show that land in that Province is deteriorating in value. Now, I want every hon. gentleman to understand that in Ontario there is a large quantity of wild land annually being brought under cultivation. There is a very large amount of land that was left as waste land when the farms were cleared that is now being taken up rapidly, so that with the improvement going on in the country, there must be a very bad state of things if land is not increasing in value. I hold in my hand the report of Mr. Blue, who conducts the Bureau of Statistics of Ontario. It gives a statement of the values of farm property from 1882 to 1885, and it shows that the total value of land in 1882 was \$632,342,500, and that in 1885 it had fallen to \$26,422,024, a reduction of \$5,920,000, very close upon \$6,000,000. I was very much surprised to find that the hon. member for North Perth (Mr. Hesson) got up in the House the other day and stated that the land was valued at \$654,000,000 in 1883, and at \$625,000,000 in 1884, and, according to the *Hansard*, he argued that the land had increased in value \$30,000,000 in that one year. He must believe in the Irishman's system—take one from two and it leaves three—to show that there was an increase. Now, I ask what makes the value of the land fall in any country? It is the value of the produce of the land that gives value to the land, and just so soon as the value of the produce falls, just so soon the value of the land falls. What does the report of the same Bureau of Statistics show with respect to the value of the crops? In 1882 the total value of the grain crops, that is, fall wheat, spring wheat, barley, oats, rye and peas, in the Province of Ontario, amounted to \$89,682,065; in 1884 the value had fallen to \$67,700,000, a fall of over \$20,000,000, and in 1885 the value of these crops had still further fallen to \$60,212,000, or something like \$29,000,000 since 1882. We have not yet got the report of the Bureau of Statistics for 1886, but I am perfectly positive that when we do get it, the value of the crops will be found to be as low as \$60,000,000 or even \$59,000,000. Hon. gentlemen opposite cannot set aside these facts, because the valuation of the land has come from their own friends. A circular is sent to every farmer in the Province, and he is allowed to put his own value upon the land, the buildings, the stock and implements, and as hon. gentlemen have a majority in this House, we may suppose that they have a majority in the country, and it is from the returns sent in by their supporters that this report to the Bureau of Statistics is made up. I found, in going over the county of Perth, where I went to make a valuation of land, the farmers there, both Reformers and Conservatives, stated that the land had been reduced in value from 15 to 20

Mr. McMILLAN (Huron).

per cent., and in many instances more than that. Is it to be wondered at, when we find the crops reduced in value to such an extent? This reminds me of a statement made by the hon. First Minister before the National Policy was imposed. It was that if we continued without a National Policy we would soon have Canada become a vast pasture for the cows to be sent to the English market. I can tell the hon. gentleman that to-day his prediction is rapidly being fulfilled under the National Policy. I can take him to districts where, in 1878, the farmers were raising grain, but where they are now turning to cattle raising; and if the same National Policy goes on much longer the farmer will soon stop the growing of grain altogether. There is, perhaps, just one way to benefit the farmers, and it is this: The Government have been in the habit of subsidising lines of steamships on the Pacific Ocean and elsewhere; but if they would subsidise a line of steamships to go to Liverpool and Glasgow and London, and compel them to carry cattle to the English market at a low rate, that would assist us more than anything they have done. There is no class that has suffered so much from the National Policy as the farmers of Ontario. We have not been benefited by it in anything we have had to sell, and we have been obliged to pay an increased price for everything we purchase. We have been told that we get goods under it cheaper than we did before. I say that they are not proportionately as cheap as they would have been if we had not had the National Policy. I went into a store in Glasgow last summer, and left my order for this suit of clothes on my back. A merchant in Canada told me that I could not get it here for less than \$23, and I got it there for \$16.50. A merchant told me that he pays on a lot of dry goods 28 per cent., and that before it reaches the consumer it amounts to 33 per cent. That is the benefit the farmers derive from the National Policy on the goods they have to purchase.

Mr. SPROULE. I think the hon. gentleman who has just sat down needs to reconcile his argument with that of the hon. member for North Wellington (Mr. McMullen) who accounts for the fact that agricultural land is higher in value to-day than it was a few years ago by saying that the assessors have been putting up the price of lands year after year to make the rate on the dollar lower; but the hon. gentleman who has just sat down says it is not higher, but a great deal lower. One cannot but be struck with the ingenuity of the hon. gentleman in his comparison of the value of agricultural products between 1885 and 1882. He forgets to tell the House that in 1882 we had one of the best crops in Ontario we had for many years, and, therefore, it was natural to expect that the value of cereals would be very high in that year. But during the last four years we have had very poor crops. He forgets to tell the House that the farmers of the country have turned their attention from the raising of grain to raising dairy products and animals, and in that way have been making up for the large falling off in the raising of grains. With regard to the Agricultural College at Guelph, most people will admit that at present it is doing a great and good work; but we cannot overlook the fact that for several years after that institution was established, a large amount of money was expended without very much return; and during those years it was natural to expect that the farmers would grumble. They did complain. After taking advice from their friends in the country, they established an advisory board, they changed their tactics, and they are doing good work to-day for which the agriculturists of Ontario feel very thankful; but, after all, they are doing the work on one line, and the experimental farm here is doing it on another line. They are turning their attention to analysis of the soil, inspection of qualities and quantities of food best suited to feeding cattle to put them in the best condition for foreign markets. The hon.

gentleman who has just sat down, refers to the number of scholars who are there and to the importance of such an institution. I believe each county in Ontario has the privilege of sending annually two pupils to that college. That is not much for each county when we consider the amount of money we pay, but, I can only say that, so far as our experience shows, up to the present, most of the scholars who have been turned out of that college, instead of staying at home and turning their attention to agricultural pursuits, have gone abroad and turned their attention to various other lines. I could not help being struck by the pessimistic view taken by the hon. member for Wellington (Mr. McMullen) of the benefit which accrues to the farmers from the establishment of this experimental farm. It has, he says, distributed two and a half pounds of grain each to so many farmers, and the aggregate distribution to the few hundred people would be equal to a sum of one hundred dollars, and that is all the return we have for our expenditure on the experimental farm. Would any gentleman, who knows anything about farming, say this is the only return the farmer receives. It is less than childish to make such a statement. It is not the intrinsic value of the number of pounds of grain which is distributed which we must look at, but the value of the information the farmer receives by virtue of the experiments which, if he had to make them himself, would have to be made in a series of processes for years. Let me give an illustration. The president of the Agricultural Society of East Grey only last year applied to some dealers in Toronto for some seed grain; he sowed the grain, barley, alongside other grain he had been using for years, and what was the result? In the one field in which he had sowed the best samples of his own grain he got about 15 bushels per acre, while in the other field, in which he had sowed the grain he received from Toronto, he realised about 32 bushels to the acre, and he obtained for that grain about five cents a bushel more than he did for the other.

Mr. MULOCK. Where did that come from?

Mr. SPROULE. I do not know in what climate it was grown, but I knew it came from Toronto, and was grown in the township of Artemesia. The result was that man had double the money for his grain that he received formerly. What is proposed to be done by the experimental farm? It is proposed to examine the different seeds of other countries, to test their productiveness, and give the results at as early a date as possible, so that our farmers may be able to turn the information to account. We have men going round the country to-day selling seeds not fit to be put in the soil, because they have no potency, and after they have been tested, the farmer finds he has lost a year, and that his land besides has yielded him no return, one half of the grain not having sprouted. In the experimental farm, however, the seeds may be tested before being put in the soil, and the farmer will know their value without spending time and money in investigating for himself. When we consider these things, we cannot help recognising the great importance of the agricultural institutions now being established. The people in my part of the country are remarkably well pleased. It is a want they have felt for years, and which the Government of Ontario has done nothing to supply; but the Dominion Government have taken up the matter and are prepared to carry out this important work. I need say but little as to the evidence adduced of the relative value of land in the Province of Ontario at this or any other period. The depreciation in the value of land in some parts of the country is due to the facts that we have acquired so much land in Manitoba and the North-West, where agricultural pursuits can be carried on with less trouble than here, and the exodus to that country has reduced the demand for land in some parts of Ontario. But, notwithstanding all that, the experience in

our part of the country is that land is maintaining its value; and if the hon. member for North Wellington cannot dispose of those farms of his for as much money as he could some years ago, it is in all probability due to the inferior cultivation of the land, and to the fact that they have fallen into disuse. It is certainly not due to a reduction in the intrinsic value of the land, because I believe land is going up all the time and is destined to go up all over the Province of Ontario. Referring to the statistics of Mr. Blue, I cannot say anything with reference to what the hon. gentleman said about the reduced value of cereals from year to year, except that we have had a succession of bad crops, so that the crops of the past few years give no indication of the amount of grain that can be raised in Ontario. In addition to that, we must not forget that a large number of people who raised grain a few years ago, are turning their attention to the manufacture of cheese and butter. This will enable us to understand the great disproportion between the amount of grain raised to-day and that raised a few years ago. I believe the experimental farm is destined to do a good work. Every dollar spent in that interest is not returning, as the member for Wellington says, dollar for dollar to the farmer of Ontario, but is going to give us value more than a hundred fold, and the good effects of the expenditure will be felt for a long time to come.

Mr. FISHER. I am rather glad to find the hon. member for Huron endorse my remarks, the more so as he is well known as a gentleman of valuable experience and as one of the most practical and best farmers in Ontario. He believes with me that experiments by farmers, through a central station, would be much more valuable than those made in an experimental station in each locality. I would like some little explanation as to how the money is to be laid out. I understood the Minister to say he expected this central station will cost about \$160,000. I understood that of this estimate of \$90,000, a portion is to be laid out on a central station and a portion on a branch station. Would the hon. the Minister say what portion he intends to spend in each of these various items, and would he give us some information in regard to the annual expenditure on these several stations?

Mr. SEMPLE. I wish this experimental farm every success. It cost a great deal of money, \$130 an acre; and I should suppose, from viewing the farm, if suitable buildings should be put up and drainage, it would cost \$40 an acre more. That would be \$170 an acre. However, the sale has been accomplished, and the land is bought, and I hope it will have success. The main thing which I understand we may expect from it is the seed brought from different parts of the country and tested. There is no doubt that seeds of different kinds fail, and have not the same results as when first sown. Therefore, there is every reason to make the changes of seed as frequent as possible, and to encourage the use of different kinds. When wheat is sown for a length of time, it is desirable that a change should be made. I think, therefore, that from the change of seed we may expect more gain to the country than from anything else in connection with the farm. Though a large amount is to be expended on it, it will be good if it is for the benefit of the farmers, because there is more attention paid to every other class in the community than to the farmers. We have heard a good deal as to the value of farm property. In the locality in which I live the land has depreciated in value from 15 to 25 per cent. The fact is, you can scarcely get anyone to buy a farm. A number want to sell their farms, but they cannot, because so little has been made at farming for the last number of years. It must be remembered that the assessors, when they go round the country, do not as a rule change the figures very much, but put down the same price from year to year. As it is a well known fact over the country that

in a county or in a township, if the property is equally assessed, it matters little whether the valuation is high or low, the result is that the decrease in the value is not as perceptible as it otherwise would be. However, we find there is a decrease, as shown from the statistics which have been quoted by the hon. member for Huron. The farmers are the least protected class of any. They have to protect themselves. They have to compete with every nation in the world in regard to the produce which they have to sell, and that is not the case with any other industry. If the manufacturers do not prosper, they come to the Government and get some law passed to shut out anything which comes into competition with their products, and the farmers have to pay the enhanced price of what is manufactured.

Mr. MARA. I should like to ask the Minister of Agriculture whether it is intended to establish the farm in British Columbia upon the island or upon the mainland and, if upon the mainland, whether it is to be established east or west of the Cascade Range of mountains. If he has not the information now, I hope he will obtain it in time to commence operations this year.

Mr. CARLING. No place has yet been selected in British Columbia as the site for the experimental farm, but I hope that it will be selected soon after the Session.

Mr. MARA. In time to commence operations this year?

Mr. CARLING. I hope so.

Mr. FISHER. I would like to know from the Minister what proportion of this \$90,000 it is intended to lay out upon the central station, and what proportion on the other stations; and I should also like to have some idea of what annual expenditure the establishment of these stations is expected to entail.

Mr. CARLING. It is expected that \$60,000 of this item will be required for improvements, and that \$30,000 will go towards the expenses.

Mr. FISHER. On the central station?

Mr. CARLING. No, on all the stations. We expect the annual expenditure will be between \$30,000 and \$40,000. When the stations are all established and in full force, the annual expenditure estimated is about \$35,000.

Mr. FISHER. I am very glad to hear those figures given, but I confess that I do not expect that the Minister will keep within these bounds. I am glad to hear that he is so confident, and that he expects to establish this central station for \$200,000.

Mr. CARLING. \$160,000.

Mr. FISHER. I thought he said it would take about half what the Ontario farm cost, which, I think, was about \$400,000.

Mr. CARLING. I said less than half. It will be about \$160,000.

Mr. FISHER. While I should be glad to see the expenditure kept within the bounds mentioned, I greatly fear, judging from the commencement which has been made, that they will not be so kept; and if the five stations—the central station and the four branch stations—are going to be carried on at an expenditure of \$35,000 a year, I think the commencement of the establishment here is very much out of proportion. I understood that the salaries here already would amount to the proportion of that \$35,000 which could be given to the central establishment; and we understood that the salaries of the higher officials will be only a portion of those to be paid on all the experimental farms. They will require a great deal of labor, and we generally find that in Government works the labor is laid out to great disadvantage, and is very expensively done. This year, I have seen already that the labor has been so laid out,

Mr. SEMPLE.

I suppose because it was commenced so late in the season, and because it was attempted to do so much in a short time. A great deal of the work ought to have been done last fall.

Mr. CARLING. We had not the land then.

Mr. FISHER. Then we could wait till next fall, instead of doing it to-day, when work is very expensive and it is almost impossible to do it satisfactorily. It would be far better to leave it over till next fall, when it could be done more cheaply and more satisfactorily in regard to the future. If this kind of work is to be carried on in the four branch stations, which the Minister has, much to my regret, determined to carry through, I fear very much that the estimate he has given of the annual expenditure and the future expenditures in regard to these farms will be very much exceeded.

Mr. WATSON. I desire to ask the Minister what quantity of land he expects to secure for the farm in Manitoba; what proportion he expects to break up and bring into cultivation this year, and what amount of money he intends to expend in Manitoba during the coming season?

Mr. CARLING. We expect to secure a section or less—at all events, not more than a section. We will take steps in regard to it immediately after the House rises.

Mr. MILLS (Bothwell). The Government has no land left there.

Mr. CARLING. They may have land enough on which to establish the farm.

Mr. GIGAULT. Until now the bulletins published for making known the operations of that institution have been translated into French a long time after they were published in English. As they contain very useful information I hope the Minister of Agriculture will see that they are published at the same time in both languages.

Mr. FISHER. What means are being taken to distribute these bulletins through the country?

Mr. CARLING. It is intended that the members of the House shall be asked to give the names of as many of the leading agriculturists in their constituency as possible, and bulletins will be posted to them regularly.

Contribution of Canada towards the Imperial Jubilee of the Queen's reign, namely, the Imperial Institute.....\$97,333 33

Sir RICHARD CARTWRIGHT. This is a considerable sum of money, and I could wish that our finances were in a state which would allow of our granting it with less inconvenience than I fear can be the case. I want to know precisely what this Imperial Institute is intended to effect; what are the contributions which are going to be made to it by the United Kingdom, the colonies and India respectively; also, what proportionate sums are being contributed by the Imperial authorities, and by the several colonies and India?

Sir CHARLES TUPPER. I am not aware of any sum having been appropriated by Her Majesty's Government as yet. That question was an open question. Very considerable sums are being given by various noblemen and private gentlemen, and the large guilds in London, as a contribution to this institute. I explained at some length, on introducing the Budget, the general scope of this organisation. It was the original intention of His Royal Highness, the Prince of Wales, who moved primarily in it, that it should be confined to the colonies and India. It was subsequently claimed by the London Chamber of Commerce and the commercial classes, that in the Jubilee memorial of Her Majesty's reign in London, the United Kingdom should be represented as well as the colonies and India, and a committee was appointed by His Royal Highness, composed of

the leading public men representing all the great parties in England, to devise a scheme for the purpose of carrying out the object intended, and the result of that was embodied in a memorandum, a copy of which I think I can lay on the Table of the House, so as to furnish information as to the general design. It is intended to utilise the grounds at South Kensington, the site of the exhibition, as they practically belong to the Crown, for the purpose of having an Imperial Institute. A large and imposing building will be provided, one-half of which is intended to be appropriated to the colonies and India, and the other half, or about that portion, to the United Kingdom. It is intended that the representation of the various natural products, of manufactures, and the various industries in operation in the United Kingdom, India and all the colonies, shall find place in this building, so that parties wishing for information with reference to any industry in the United Kingdom, will be able to find in this Imperial Institute all the information he desires. It is expected to furnish, in fact, illustrations of all the minerals and various products, and information is also to be distributed in reference to all portions of Her Majesty's dominions.

Mr. JONES. How is the expense of keeping it up to be met?

Sir CHARLES TUPPER. It is expected that there will be a sufficient endowment to provide, not only for the erection of the building but for its maintenance. I may say that I have stated in the clearest and most distinct manner to His Royal Highness, and to the gentlemen who have been engaged in perfecting this scheme, that while the Government of Canada would ask Parliament for the appropriation of £20,000 sterling, that sum was intended to cover the entire contribution of Canada, both toward the original foundation of the institute, and toward the expense of its maintenance.

Mr. JONES. What is the total cost likely to be?

Sir CHARLES TUPPER. That matter is not yet determined, because, of course, it would depend upon the amount of money that could be raised. The site will practically cost nothing, so that all the money that is contributed will be appropriated to the building and the organisation of the institute. The amount appropriated by the various Australasian colonies was not determined when I left England, and I am not able to say what it is, but I am inclined to think it will be very considerable. I think all the Australasian colonies have agreed to co-operate and to contribute largely to this undertaking.

Mr. JONES. Will the expenditure be under the direction or control, or made with the concurrence, of the present or future High Commissioner?

Sir CHARLES TUPPER. Yes, so far as Canada is concerned; and one of the conclusions adopted by the committee was that each section should be under the general supervision and direction of the official representative of that country in London.

Mr. McNEILL. I think that an authoritative statement has been made within the last day or two that the Australian colonies are contributing £100,000.

Mr. DALY. I see in a despatch to the *Toronto World* of yesterday the following:—

"It is now admitted by the strongest opponents of the project that the Imperial Institute has at last satisfactorily turned the corner, and that all fear of a collapse of the scheme has been removed. The United Kingdom alone has subscribed £190,000, Canada promises £20,000, and Australia £100,000. £310,000 are thus already guaranteed, and by 4th July, the amount will reach fully £400,000."

Mr. MITCHELL. I desire to enter my protest against this item. It is an expenditure that we ought not to have entered upon. When we look at the depressed condition of our agricultural, lumbering and fishing population, particu-

larly in the Maritime Provinces, it is evident that we should not have entered upon this enterprise. I suppose it has gone so far that it is useless to protest against it, and, if we had not become involved in the engagement, I think it would have been the duty of the House to have rejected this vote.

Mr. WELDON (St. John). What amount is proposed to be raised?

Sir CHARLES TUPPER. All the money that can be obtained.

Mr. WELDON (St. John). The managers are levying contributions all over England, and, according to Mr. Labouchere in *Truth*, they are taxing everybody very heavily.

Sir CHARLES TUPPER. They want to get all the money they can.

Mr. MALLORY. In giving this particular sum at this particular time—although I do not believe the Minister of Finance thinks so—I believe we are entering on this scheme unwisely, and that nearly every year subsequently, Canada will be asked to contribute a certain sum towards the maintenance of the institution. If there were definite plans laid down as to the cost of maintenance and the proportion to be borne by the colonies, then my objection to this vote would not be so strong as it is. But I agree with the hon. member for Northumberland (Mr. Mitchell) that, on entering on a scheme of this kind, we are entering on an expenditure the end of which we cannot see. In our present condition of depressed finances we should be careful in regard to the expenditure of public money outside of our own country. We can expend our finances to greater advantage in our Dominion, and it will be for the interest of the people here that they should be so expended, rather than we should contribute a large sum, which I believe will be followed by further sums in years to come, to an institution in England.

Mr. MILLS (Bothwell). Can the Minister of Finance state what will be the probable annual charge? Has there been any estimate made?

Sir CHARLES TUPPER. I have already stated that I have taken every means of advising the parties engaged in this undertaking that the contribution of Canada was a contribution once for all, and that we did not hold ourselves liable, nor did we intend to incur any responsibility whatever. In fact, I communicated to His Royal Highness the Prince of Wales, and the committee, a cable I received from the First Minister, to the effect that Canada limited its responsibility in regard to the whole undertaking entirely to this contribution. At the same time I do not hesitate to say that I have no doubt some annual charge will be incurred not only by the Federal Government, but by all the Local Governments, in this way: The Ontario Government placed their entire educational exhibit at my disposal for the Imperial Institute of the Colonies and India, when I appealed to all the Provincial Governments, as well as to the Government of the Dominion, to give their exhibits for the purpose of forming a nucleus for this institute. The response was uniform, and was given in a most generous spirit. I say that the Government of Ontario placed their entire educational exhibit, which was of great value and had proved of the utmost interest in England, at my disposal. It was subsequently returned, because when it was decided to vary the plan, as originally proposed by His Royal Highness the Prince of Wales, and to erect the building before any organisation was undertaken, I thought it better that all the exhibits should be returned, so that when, at the end of three years, the building has been completed, a much better exhibit may be made. No doubt all the Provincial Governments will be glad to take advantage of the opportunity to make a contribution, so that the exhibits of the Provinces shall find a place in this Imperial Institute. Accordingly, the Government of Canada, from year to year,

will, I have no doubt, have to expend a small amount in sending forward the best representations of the natural products of the country, and for the purpose of keeping in London an advertisement, the best advertisement we can possibly have, of this country and its resources. And so with private manufacturers, who will, I am sure, take advantage of the opportunity to send there illustrations of the various industries in which they are engaged. In that way, while it has been distinctly announced that the Government of Canada does not hold itself responsible, does not intend to contribute any amount whatever to the cost of annual maintenance of this Imperial Institute, I have no doubt certain expenses will be incurred, such as the Government may think wise and such as Parliament may appropriate, to keep before the eyes of the world (because there is no place in which this can be done so thoroughly as in London) the resources of our country, and I believe this expenditure instead of being one not warranted under the circumstances, and not only this expenditure, but any small annual expenditure that will follow, will be justified by the benefit it will confer on the country.

Mr. WELDON (St. John). Do I understand that Canada will have a permanent place in that institute?

Sir CHARLES TUPPER. Yes.

Mr. WELDON (St. John). Will it be under the charge and under the expense of Canada?

Sir CHARLES TUPPER. This is our contribution to that, and it is understood that of the buildings one-half at least will be set apart for the representation of the products of the United Kingdom, and one-half, equally favorably situated, will be set apart for the Colonies and India, and that will be divided so as to present the resources and illustrations of such colony by itself. It will be under the general organisation. It will be at the cost of the general organisation, and there will be no charge falling upon the country in relation to it except such as we may voluntarily assume. But the general direction and management of each court representing each colony is to be under the control of the official representative of the colony, where they have one.

Mr. JONES. Could it not be utilised for the dissemination of information with regard to emigration?

Sir CHARLES TUPPER. That is one of the leading objects.

Immigration \$229,525

Sir RICHARD CARTWRIGHT. I am not so much disposed to criticise individual items here as to raise the question for the consideration of the committee whether the whole of the expenditure that we are incurring for the purpose of immigration is not a huge mistake. We have, unfortunately under our hand, in the report of the Department of Agriculture for the last five years, the most conclusive evidence which, I suppose, it is possible to imagine, that the statements made to us by that Department have been wholly fallacious and misleading. I need not go through in detail the statements made as to the number of immigrants and colonists settled in Manitoba in 1881-2-3-4-5, but the result is, that, whereas on the authority of the report made by that Department the Ministers of the Crown have been stating that the population of Manitoba and the North-West Territories have been increased by 155,000, it is perfectly clear from the official census made by the same gentlemen that either those people never went there at all, that they were not settlers in the proper sense of the term, or, which is even worse, that they did go there, and that having gone there, having attempted to settle in Manitoba, out of those 155,000 scarcely more than 40,000 had remained; and the balance of 110,000

Sir CHARLES TUPPER.

or 115,000 either returned to Canada or went to the United States or elsewhere, and they became, as I stated a few nights ago, to all intents and purposes, anti-immigration agents—men who, having gone to the country under a mistake, or having been brought there under false representations, as the case may be, have gone away soured, discontented, and disappointed, and are positively doing us a great injury instead of doing us good. Now, as to this there can be no possible doubt. We have on the one side the reports of the Department, with very specific statements as to the number of settlers, and we have on the other the official census showing that these reports are utterly misleading. It will be remembered that, on many occasions, gentlemen on this side have stated their convictions that these reports were not to be relied upon, and it is clear that in the statements we made we never fully measured the extent of the injury that had been done, or the loss of settlers which had occurred there. I always supposed that there were at least 110,000 or 120,000 white settlers in Manitoba, and a corresponding number in the North-West Territories. Now, we find there are barely 95,000 white settlers in Manitoba and 23,000 in the North-West Territories. But I find besides that, the statement which is made in the same reports that nearly one half million of settlers have settled in the various Provinces of the Dominion (477,000 is, I think, the exact number as given by the returns of the Department during those four or five years). Now, it is utterly impossible that that can represent the true settlement in this country. That number of settlers may possibly have come here. I am not disposed at this moment to say whether they came or not; I believe they did come here; but it is perfectly clear that if that number of people came to Canada the vast bulk of them were, in the strictest sense, birds of passage; that they came here only to go away to other countries. In practice what we are doing is this: We are unable, as we know to our cost, to retain the natural increase of our population in Canada, yet we are year by year—I am glad to see the decrease in the vote, but still it remains nearly a quarter of a million—spending a large amount of the people's money in bringing persons to this country, who either do not stay here or become competitors with our own people and drive them out of the country. Now, I say it is doubly and trebly wrong; I say it is a fraud on the native Canadians and a fraud on the taxpayers in the country, to bring people here who, if they remain in Canada, must remain here largely, if not altogether, by driving out our own people. Therefore, I say it would be better that we should put an end to this expenditure altogether, or reduce it, at any rate, to the proportion of information offices in London, and a few other points where it may possibly be of importance for us to have some representatives of the Dominion to whom persons can apply for information. But, as a matter of policy, I say that, under the existing condition of things, this appears to me to be money which is worse than wasted. I say that our whole immigration policy for at least the last six years is, in the face of our own census returns, a gross and manifest failure, and that perseverance in it is doing a great injury to a valuable class of people in this country; and I would recommend the committee—though this, perhaps, is not the time at which it is desirable to take a vote—to greatly reduce this item.

Mr. DALY. As one of the representatives of Manitoba, I must take exception to the remarks of the hon. gentleman opposite with reference to the condition of that country, and as to immigration. He does not take into consideration that a great number of the people who came in there, and who were no doubt counted as immigrants, were employed upon the Canadian Pacific Railway, that they went through to the Rocky Mountains, and either passed out by way of Emerson on their return from the Rocky

Mountains, or went to British Columbia. Now, instead of the Government reducing this item, so far as Manitoba and the North-West Territories are concerned, I think the item should be increased. If that country is to increase in population, and if the dreams of which we have heard so much are to be realised, it must be by the increase of immigrants, and, as I stated the other day, we must consider that no matter what sums of money have been expended upon immigration, yet as far as Dakota and Minnesota and the western States of America are concerned, they have been advertised to the world for twenty-five, thirty-five or forty-five years, and that practically it is only since 1881 that immigrants have come into the Province of Manitoba. As I stated before, when you consider all the circumstances which have prevailed in that country, I think the fact that our population has increased 74.5 per cent in five years is a very good showing. But I say that instead of this item being decreased it should be increased, and that the utmost vigor should be used by the Department of Agriculture, by way of distributing literature and appointing agents in the Old Country, and not only on British soil but in foreign countries, to lay before those people the benefits which can be derived by emigrating to the Province of Manitoba. I have no expectation that the desire of hon. gentlemen opposite will be carried out, that the item will be wiped out entirely, but I trust that after their experience this year the Department will see its way clear to increase the item during next year, because if we do not encourage immigration to that country all the money we have sent upon it must go for nothing. As a representative of Manitoba, I would not be doing my duty if I did not enter my protest against the decrease of this item.

Sir RICHARD CARTWRIGHT. The House will observe that here are the reports of the Department of Immigration. They state distinctly that in 1881, 22,000 souls were reported to have settled in Manitoba and the North-West; 58,751 in 1882, 42,000 in 1883, 24,000 in 1884, and 7,000 in 1885; 155,000 in all. Now, Sir, we have the census returns to show us that not 40,000 of those immigrants stayed there. It is, therefore, perfectly clear that the 110,000 who were stated over and over again by the Minister to have gone there, either never went there or have gone away. We pointed out repeatedly that a great number of those people were merely transient visitors, or people who were brought in, as the hon. gentleman, perhaps, correctly enough suggests, for a temporary purpose by the Canadian Pacific Railway Company, and who left the country again. Constantly we were told by hon. gentlemen that we need have no fear for the future of that country, because a quarter of a million of people, or thereabouts, were settled there two or three years ago; and I quite admit that if any reliance at all could have been placed on the reports of their own Department of Immigration, they were justified in making that statement. The hon. gentleman who spoke last is not aware, I presume, that the Department professes not only to give the numbers of those who went in, but the numbers of those who left, and that the figures I quoted are the residuum—those who were said to have remained in the country; so that so far as his argument goes, it would not apply to the statements made by that Department. The Department stands convicted by the census returns of a gross error—so gross as to destroy all confidence for many years to come in any reports that Department may make. I was not referring most of all to Manitoba, although the settlement there is a very important question, no doubt. I was referring most of all to the alleged fact, that nearly 500,000 immigrants, according to the report of the Department, have settled in this Dominion. Now, I contend that not merely the evidence we have from Manitoba, but all that we have been able to gather from the other Provinces, goes

to show either that these people never came here at all, and that the Department was wholly deceived, or that they were mere birds of passage who came to Canada, and after spending a few weeks or a few months in the country went elsewhere, presumably to the United States. Now, Sir, there can be no greater injury done to this country—and that is the point I want specially to call the attention of the committee to—than under any pretence or pretext whatever to bring immigrants to this country under the idea that they are going to settle here and become prosperous inhabitants of the country, and then have them leave the country disappointed, to give unfavorable and very likely unfair accounts of the country to their friends and relatives scattered all over the world. I happen to know that very great evil has been done to legitimate immigration in this country from reports sent out by persons who were brought here under false pretenses—because it amounted to that—by inducements indiscreetly held out to them by persons who were employed either in the regular or irregular service of the Department of Immigration. I say it is a crying evil; and I say more, that in the older Provinces the complaints made by the labor unions and other bodies of that kind against the policy of the Government in bringing immigrants here to compete with those men and to take the bread out of their mouths, are very well justified. Here we are protecting the rich employer, and are at the same time bringing out at the public cost men to compete with the employed—to cut down their wages, and to diminish the scanty returns they receive for their labor. I say that is entirely wrong. As regards Manitoba it is very doubtful, indeed, to me whether any of those assisted immigrants are likely to make good settlers there. As I understand the case, you cannot possibly afford to bring men to Manitoba unless they possess some amount of capital to enable them to become prosperous settlers there. It is a great mistake, I should say, to encourage anything approaching pauper immigration to that country in its present condition. They are not the people who will be of any great benefit to Manitoba; and as a matter of fact we have the evidence of hon. gentlemen's own returns that if any such are brought there they most assuredly do not stay.

Mr. McMULLEN. I think we should seriously consider the expenditure of this large amount of money for immigration purposes. In past years, when the question of immigration was before the House, hon. gentlemen opposite, from time to time, presented statements to show that the cost *per capita* of immigrants brought into this country was something like \$3.86 or \$4 a head, which they represented was much less than the cost under the previous Government. Now, when we take the actual number of settlers in Manitoba, according to the census returns, and divide that number into the actual amount of money we have expended during the last five years, we find that instead of their costing us about \$4 a head, they have cost us exactly \$50 a head. Now, I say it is time some stop were put to this expenditure. We should cancel every immigration office that is not absolutely necessary. Will any man tell me that an immigration agent in Ottawa is a necessity. I can understand the necessity of something of the kind in Montreal or Quebec, but not in Ottawa, Hamilton, London and similar places. In the city of London alone, we pay altogether something like \$20,000; we pay in Canada, \$31,861, and I notice that last year the amount expended for contingencies was \$13,621. One gentleman expressed the opinion that we should continue this system, in order to increase the population of Manitoba. I am prepared to say that anything that can be done at any reasonable cost to increase the population of the North-West, should be done. That country, which has cost us so large an amount of money already, will be virtually lost to us, unless we can induce actual settlers to go in, and I would

willingly consent to any reasonable expenditure to accomplish that end. But we have been spending large amounts of money in the past. Last year, we paid for salaries in Manitoba, \$10,015. I find there was paid for contingencies a little over \$7,000 altogether. By looking at the different places where we have agencies, we find we pay quite a large amount for rent. In the city of Ottawa, for instance, we pay office rent \$240, taxes \$62, cleaning and repairing \$46, travelling \$258. In Toronto we pay for fuel \$169, cab hire and rent \$1,109, newspapers \$36; in all \$2,126. The St. John's agency costs us \$89 for travelling expenses. In all the different offices I find there is a very large amount of money expended for purposes of that kind. At Emerson we have paid for travelling expenses and contingencies, \$694; at Montreal, for rent, \$133. The whole system should be cut down and remodelled, and the salaries of agents in Europe cut down. I find we have sent a gentleman as agent to France at an expense of \$2,400, with an assistant at \$300. I find we have appointed two additional agents at \$1,200 each. We know that this question of immigration has been taken up by the trade unions who have given their opinion in strong terms as to the impropriety and injustice of bringing in foreign labor to compete with them. I believe that we should import men who will settle in the country and become agriculturists; but under the system that has been carried out for the last five years, the statistical returns, the returns of population in the North-West, show that we have been positively cheated by the manner in which the money has been used, and that people have been represented as settlers who have not settled in the country at all. When facts such as these confront us, it is time the whole system was remodelled. I do not think there is any item upon which we should take a stronger stand than the enormous expenditure under the head of immigration. It is an injustice to the people to keep immigration agents in such places as Kingston, Hamilton and Ottawa, where immigrants do not arrive at all. Any one who will call on the immigration agent here will see that the work he has to do is a mere nothing. I cannot understand, in fact, what he does.

Mr. WRIGHT. I can assure the hon. gentleman that he is entirely mistaken with regard to the immigration agent at Ottawa. That gentleman is a most active and useful officer; he performs a most important function. I can speak from my own knowledge, for I know he has brought out many immigrants to our city and has induced them to settle, notably in my section of the country. In that section, forty or fifty of them, excellent farmers, were induced to take up land. In the whole Ottawa district generally, that gentleman has performed a most important function; and I think, if the hon. gentleman's arguments do not apply with more force to Kingston than to Ottawa, he is entirely mistaken. I repeat, throughout the whole length and breadth of the Dominion, no more efficient officer will be found than Mr. Wills.

Sir CHARLES TUPPER. It is to be regretted very much that hon. gentlemen opposite take the line in this House that they do. I do not say it is not possible to reduce the expenditure, and we have shown our desire to reduce the vote for immigration by placing it at \$50,000 less than last year. But I say a greater injury could not be inflicted upon Canada than to adopt the suggestion made by hon. gentlemen opposite, that this appropriation should be abandoned. I do not mean to say that immigrants will not come to this country, persons not at all adapted to succeed in it, and who will fail, as many do, to realise their extravagant expectations; and who, when they go away, will decry the country. Instead of their coming here being a benefit it is an injury. The moment that special attention is attracted to any portion, as it was to the North-West,

Ma. McMULLEN.

every person knows that crowds of people, men who have never succeeded in their lives in any part of the world; men who, owing to their habits of indolence and dissipation and unwillingness to work, cannot succeed in any place, will come here, and because they cannot make fortunes will go away, after loafing around and spending what little means they have in dissipation, and give the country a bad name. We cannot help that, but I would ask what impression any stranger coming into this House and taking a seat in the gallery, would form as to the gentlemen who were sitting on that side. He would suppose they were the inhabitants of a foreign country, and their object was to injure, as far as they possibly could, the best interests of Canada. We have one of the most magnificent countries the sun shines on. From the Island of Prince Edward in the Gulf of St. Lawrence away across the continent to Vancouver Island on the Pacific. The whole world does not possess a country with greater attraction for every man who is willing to work for his living than Canada possesses. Yet to listen to these hon. gentlemen, you would suppose Canada was one of the most miserable, God-forsaken countries on the face of the globe. Talk about property depreciating in Ontario! How could it do otherwise than depreciate? How is it possible to attract capitalists, the farmers of Great Britain, the men who pay £400 to £800 a year rent for a farm, and at the end of the year are poorer men, than they were at the beginning—these men, who are looking abroad to see where they may better their fortune, and there is no place in the known world where they can do better with their capital and their knowledge of agriculture, and benefit their position, than in the Province of Ontario—how is it possible to attract them to this country, when they take up the records of the discussions of this House and find that the men who profess to speak for the farmers of Ontario, are declaring, in the face of the world, that agriculture is a down-trodden interest, that the farmer is ground down by taxation, in Ontario, until he is so impoverished that his land diminishes in value? Does anyone believe that is the mode by which capital and industry are to be attracted to a country, and that is all that is necessary to be attracted to this country in order to make it all that the most ardent patriot can desire? I say we have a country that is capable of furnishing happy and prosperous homes for a hundred millions of people. We have a country capable of furnishing as happy and comfortable homes for a hundred millions of people as any section of the globe can present, but we will never get them so long as gentlemen, whatever object they may have in view, use their talents and their time, instead of doing what the people of other countries do, upholding their country and presenting it, not in its worst, but in its most attractive form. Look at the great republic to the south of us, where fifty or sixty millions of people have been attracted to build up that great country and make it what it is. How is it done? If you see a gentleman, no matter whether he is a democrat or a republican, no matter what his politics may be, no matter whether he is for or against the Government of the United States, though he may attack the party to which he is opposed and denounce them, touch his country, say a word as to the United States of America and you will find that, whatever his politics may be or whatever his political opinions may be, he is a patriot and resents as a personal injury any slight or any attack upon the character or position of his country, or its attractions for settlers. That is what has made the United States of America what it is. If we are to follow in their wake, if we are to build up a great British nationality on this northern half of the North American continent, we will have to adopt the same policy, we will have to do justice to the magnificent heritage which God has given us, and to point out, not its disadvantages or its drawbacks, but its advantages, and to

show, that which I am able to show, that Canada can present to the world to-day, that Canada can present to capital and industry, attractions second to no part of the civilised world. The Secretary of State for the Colonies said to me one day: "You have turned the heads of my constituents; they came up here the other day, the farmers and the agriculturists,"—and he represented a great agricultural constituency—"and after walking through the Canadian court at the Colonial Exhibition, they have turned their faces home in despair; they say, whatever we may do, how can we compete with that country; and I have no hesitation in saying that that visit to the Canadian section of the exhibition will attract capital from the county which I represent to Canada." All we require is to give this country fair play, to put it fairly before the world, to attract that capital and that industry. Talk to me of the farmers—I say I know something of them. I am not a farmer, but I have represented one of the finest, one of the largest, one of the most independent and of the best agricultural counties to be found in the wide Dominion of Canada for thirty-two years successively, with the exception of the brief period when I was absent in England. I know everything in relation to the farming industry of this country. I have travelled far and wide over Canada. No one man knows this Dominion better than I do. I have lived in Prince Edward Island, I have lived in New Brunswick, I spent years of my life in my native Province of Nova Scotia, I have lived in Ontario, I know Quebec intimately, I have visited again and again the North-West Territories and British Columbia, and I speak from personal knowledge when I say that there is no agricultural people in the world that has greater reason to be proud and satisfied with their position than the agriculturists of Canada and of every Province in it. I have been from one end of the Dominion to the other, and I say that there never was a farming population that had greater reason to be satisfied than the agricultural population of this Dominion, and every Province in it. There is not a Province in which a most marked change has not taken place for the better in the position of the farmer, and that year by year steadily to the present day. Yesterday, the farmer was borne down by mortgages and pressed by debt, and what is the position now? I am speaking in presence of gentlemen who know, when I say that the greatest complaint in reference to the agricultural population is not only that they do not want money, that they have paid off the mortgages that burdened their property, but if you ask the loan societies, the institutions that lend money, that live by lending money, they tell you, we cannot lend money, for the moment anyone wants to borrow, a farmer is able to furnish the money and prevent him from coming to us. So, from being burdened with mortgages and borne down by debt, they have come to be in the most independent position of any class in the community; and, if fair play were given, if the simple facts in relation to the country were stated, if, instead of these gentlemen spending their time and their talents in decrying and depreciating the Province of Ontario—one of the finest Provinces in the Dominion or in any part of the world—they would point out to capitalists abroad, to the impoverished farmers of Great Britain, to the men who are unable to make a living with their capital and their skill, what a field Ontario presents for the employment of their capital and skill, you would find the price of land, whatever it may be, more or less, greatly advanced, and instead of the tendency to go west which exists so strongly in all countries, when people in Ontario move off to Manitoba or the North-West Territories, leaving their lands and their properties, in that spirit of enterprise which carries people westward all over the world, other people would come in and take up the land at a fair and good price and enter upon the cultivation and development of that great Province. I do not want to see

paupers brought into this country. I quite agree with the hon. member for South Oxford (Sir Richard Cartwright) that we have no room for a pauper population, but, as far as agricultural laborers are concerned, as far as domestic servants are concerned, as far as agriculturists with capital are concerned, we cannot have too many of any one of these classes. The demand has never been supplied and is not supplied now, and, notwithstanding what I have said, that people who are not adapted to be successful anywhere, whose habits and want of industry are fatal to their success in any part of the world. I have been watching this matter closely, the great difficulty has been pointed out by my hon. friend behind me, who says the advantage of the United States has been that they have had a great population of immigrants who have written the most successful letters home, have become the most successful agents, by writing home to their friends and sending money to bring them out here. The great difficulty is to get the nucleus, that is the nucleus of successful immigrants who, by communication with their friends abroad will attract people to the country. That is being done. We have, in the last few years, drawn to this country a valuable nucleus of Scandinavian and German immigrants, well adapted for the settlement of the country, well adapted to the climate, and sure to succeed in any country. I have seen scores of letters written by these parties. Notwithstanding that there have been drawbacks, that there have been frosts, that there have been dry seasons, still the crops have been of a very fair character in Canada. Notwithstanding all that, these parties have so succeeded that they have sent home to their friends and are bringing them out, and we had last year a larger amount of Scandinavian and German population brought into Canada and the North-West, than in any previous year. They are the most valuable class of immigrants, men who are adapted to achieve success, and who, I am confident, will be successful. I say, Sir, that hon. gentlemen are constantly decrying the country—I will not say for party purposes, because it is not parliamentary to impute motives—but I say from the most mistaken motives, regarded from a party standpoint. I may say that, standing here a few years ago, I ventured on a little prophecy, and that was that although the time would come when gentlemen on that side of the House would take a position on this side, that that time would never come until they changed their attitude in reference to the two great questions of the day, namely, the National Policy and the Canadian Pacific Railway. I tell them more, I say that having changed their attitude on these questions, compelled to admit the success of the National Policy, compelled to recognise the transcendent importance of the Canadian Pacific Railway, still, so long as they continue to decry their country, so long as they continue to spend their time and talents in showing that this country is one of the most miserable in the world, and that it is inhabited by people the most unfortunate in the world—I say that while they retain that attitude, they will remain where they are. They will come, in the course of time, to this side of the House. Governments must change; no Government can remain in power forever; but I say they will never take the place of hon. gentlemen on the Treasury benches until they convince the people that they are inspired by a patriotism that will enable a public man to do justice to his country, and place before the world the fair and legitimate attractions that it presents to all comers. Canada can never become a great country, it is impossible in the nature of things that at any early day we can become a great country, except by one means, and that is by attracting industry, capital and population to our country. We have got the finest country in the world for the exercise of industry, for the advantageous employment of labor and capital. Give the country fair play, put before the world the attraction that we possess for population, capital and

industry, and we will rapidly become a country of which every patriotic Canadian will be proud.

Sir RICHARD CARTWRIGHT. I do not think it would have been possible for any human being, in a shorter space of time, to have delivered a more severe rebuke or criticism on the policy of a government, which, having such a country as the hon. gentleman rightly says, a magnificent country, a country which only needs fair play to make it great—I say, Sir, it would not be possible for any human being to have delivered a more severe criticism on the policy of the Government than to find the hon. gentleman who, knowing that, has still not one word to say in reply to the statements to which I just called the attention of the House—that with all these enormous advantages, with the expenditure of a hundred millions of public money—the hon. gentleman has not been able to put 49,000 souls into the whole North-West Territories and Manitoba within the last five years. Not one word could the hon. gentleman say in reply to the proof which I gave from public reports, the mischievous and misleading statements made by his colleagues, made by the Department of Immigration, with respect to the settlement of the North-West—not one word had he to say in contradiction. He could not contradict it; and what did he do? Why, Sir, he turned round and told the House and the country that the seventy-eight or eighty gentlemen on this side are so much more powerful than that great Government; that a few words from us are sufficient utterly to undo all the efforts of these gentlemen. Sir, I am not so conceited. I do not suppose for one moment that the just criticism, the exposure of the evils, and follies and mistakes of the Government, which has been made from this side of the House, could have deterred immigrants from coming into this country. But I tell the hon. gentleman what did deter them: the mischievous and mistaken policy of the Government for a number of years back. I agree with him that if you had given the country fair play, and, in particular, given the North-West fair play, you would have to-day three-quarters of a million of prosperous settlers in the North-West. But I say that if there ever was a policy calculated to destroy the immense natural advantages of the country, if there ever was a policy calculated to drive away settlement, if there ever was a policy which was—I will not say any more than the hon. gentleman—of set purposes and malice conceived for the purpose of injuring these unfortunate settlers—it was the triple blunders which hon. gentlemen have committed, and have persisted in, of loading down those unfortunate settlers, with a monstrous taxation, and refusing them the commonest rights of British subjects to build railroads with their own money, and delivering them bound hand and foot to a gigantic monopoly, and so administering the whole of that vast and fertile territory as to turn it practically into a fund of corruption for the purposes of carrying the elections in the older Provinces. Those were the reasons, those were the causes, which prevented even this magnificent country from being settled—from becoming the home of hundreds of thousands of prosperous settlers. And now, when the hon. gentleman is confronted with the natural and inevitable result of this most disastrous blundering, when he finds that his \$71,000,000 of land sales have shrunk into \$1,200,000, when we find that his 500,000 or 600,000 settlers are represented by 40,000, and his 640 million bushels of wheat by four millions or five million bushels, then the hon. gentleman turns round. When we point to the results of his policy, as evidenced by his own returns, he tells us: You, on the opposite side, are to blame, because the public at large, the English public and the whole world, know you so well that they put greater dependence on your least word than they do on all the magnificent promises we make. That is the logical result

Sir CHARLES TUPPER.

of the hon. gentleman's statement. Now, the hon. gentleman is right, I believe, in saying that had Canada been wisely administered; had her taxes been kept down as they might easily have been kept down, and that without reference to his protection policy; had we done as I have always recommended to him and his confrères; had he taken a leaf as he might well have done, from the wise and prudent policy of the people of the United States who, during nearly the whole of the first century of their existence, showed themselves the most prudent people on the face of the earth, in the matter of laying taxes and burdens on the people, then, Sir, our progress would have equalled that of any part of the United States. I am quite as good a Canadian as the hon. gentleman. I know Ontario quite as well as the hon. gentleman does; I have as high an opinion of Ontario as he can possibly have, and I say that nothing but the grossest misgovernment could have brought about in a country with such resources as we possess the result we now see, viz., year after year the very choicest, the flower of our population leaving our shores. The hon. gentleman knows right well, and every hon. gentleman here knows right well, that there are whole regions of Ontario where to-day you can hardly enter a single dwelling in any township in which you will not find some near kinsman of the family a settler in the United States. Gone there because the misgovernment of this country has prevented him from finding a home under the British flag! When that is the state of things, when we see hundreds of thousands of the very best of our countrymen forsaking their own countrymen and going abroad, I say it is due to the utterly miserable and ghastly failure in which the policy of hon. gentlemen opposite has resulted, and yet we are told it is due to the policy of men who, if they were in power to-day, would keep down taxation, abolish monopoly and retain the land for the settler. If the hon. gentleman is wise he will study those pages of the earlier history of the United States to which I have called attention, and if he had studied them carefully he would not have had to deplore to-day that while we are spending hundreds of thousands of dollars of the public money in bringing immigrants here, we are driving our own people out of the country, and to-day there are two millions of Canadians or the children of Canadian parents who have been driven to the United States by this evil policy.

Mr. CHARLTON. When the Minister of Finance rose to address the committee upon the subject of immigration he made a sudden departure from the consideration of the subject before the House, and entered upon the widest field of political discussion. It is an old trick on the part of the hon. gentlemen opposite, when they want to cover any of their failures, to attack hon. gentlemen on this side and accuse them of unpatriotic motives, and lay at their doors all the failures that are to be attributed to the failure in the policy of hon. gentlemen opposite. I deny that members on this side act from unpatriotic motives and I contend that their conduct is the contrary. Their motive is to arrest that tide of evil which threatens disaster to the country, and already fills the minds of our best citizens with alarm. I believe it would be much more conducive to our interests if we were to amend our policy so as to keep our native Canadians at home rather than to attempt to replace native Canadians by immigrants, for, if we succeed in that policy, we would not be in as good a position or in one so well calculated to promote the prosperity of the country as by retaining our population. It is true we have lost one million inhabitants of Canada who are living in the United States, and if we add the number of their children we have two millions Canadians in the United States who ought to be living here; and it is to arrest this exodus of our own people, one of the results of the policy of hon. gentlemen opposite, that we discuss public affairs and object to the

policy of hon. gentlemen. It is very true that if Canada had fair play it would be a great country, but it has not got fair play. It is in the hands of men who administer public affairs recklessly, and it is our duty to point out the evils which attend that administration. They are piling up the debt, our expenditure is increasing by millions by the methods which characterise the policy and actions of hon. gentlemen opposite, and under such circumstances we can expect nothing but destruction and ruin in this country. It is perfectly proper to point out these things and warn the Government and the country that they must cease, or we are endangered thereby. With our debt almost three times the debt *per capita* of the United States; with our extravagant expenditures, with our methods of subsidising railway schemes, and of making expenditures in thousands of different ways, those who are patriotic and intelligent, and take a broad and far-seeing view of the field, are filled with apprehension as to the future. This is a mighty country, with great resources; and the country to-day ought to have, without immigration and simply by natural increase, 7,000,000 of people, and it is doubtful if we have more than four millions and a-half. There is something wrong in the management of affairs here; and when hon. gentlemen opposite attempt to cover the failure of their party by accusing hon. gentlemen on this side of being unpatriotic, it is a piece of political buncombe.

The hon. gentleman made one admission, inadvertently, with respect to settlement in the North-West. He accounted for the failure to succeed on the part of many immigrants by the fact that they were dissipated and indolent in their habits. The hon. gentleman's immigration policy is calculated to promote the immigration to Canada of that very class of settlers. Men who are intelligent, energetic and possess means, will go to the country that offers them the best inducements. Men who possess none of those qualifications will go to the country to which their passages will be paid, and the expenditure of this money leads, to a very large extent, to emigration to the United States. I was told, when in Winnipeg last fall, of many cases where immigrants arrived in Winnipeg, brought there under the auspices of the immigration policy of hon. gentlemen opposite, who had not even tarried in Winnipeg, but had proceeded to Minnesota and Dakota. They had taken that route on account of the aid they received from the immigration policy of hon. gentlemen opposite. If that hon. gentleman wishes to retain immigrants in the North-West, and to promote immigration to that country, I think I can than the one at present in operation. I would advise him to consider the propriety of giving to immigrants as favorable conditions, and as great advantages, as the United States offers to the same immigrants. I would suggest to the hon. gentleman that it might be well to place the prices of the public lands in the North-West down to the limit of prices in the United States. While the United States gives outside of its railway grants, its public lands at \$1.25 per acre, and while it grants homesteads wherever a quarter-section can be found, we, in the North-West, set apart a few isolated locations in the townships for homestead settlement. We charge for land south of the Canadian Pacific Railway \$2.50 per acre, for lands north of the Canadian Pacific Railway \$2 per acre; we are charging for lands south of the railway double the price charged in the United States, and for the balance 75 cents an acre more than the United States charge for land of the same character. How can we expect to attract settlement? In addition, we have the National Policy, which imposes heavy duties on agricultural implements and further burthens. The disadvantages that our land policy and our fiscal policy lay upon the settler in the North-West, will inevitably produce the result of driving settlement

to the south of the line. If the hon. gentleman wishes to attract settlement in the North-West he must recognise those practical evils, and not attempt to place men in the North-West by giving them a few dollars to go there, and by placing them under the disadvantage of charging double price for their land as compared with the United States, and adding the disadvantage of charging them very much more for all the implements they require. The fact has been that the United States have met with great success in promoting immigration, and that immigrants pour into that country. Well, Sir, the United States makes no immigration appropriation. It has no immigration agents in Europe; it has no sum in the estimates similar to this item; it gives no bonus to the immigrant; and not only does it not assist him in his passage, but when he lands in New York it taxes him to pay quarantine expenses, and he has also to pay for the guidance of agents who direct him to his destination, wherever it may be. And yet, notwithstanding all this, that country has been eminently successful in promoting immigration, because its land and general policy have been conducive to the interests of the settler, because it has adopted a common-sense policy; and as long as we are a competitor with the United States, as long as we have a great public domain in the North-West to which we are inviting settlers, and so long as we have a rival south of the boundary line which is also inviting settlers and has a great public domain to offer, if we do not adopt a policy as liberal as that of the United States, we will be unable to get the settlers. We may increase our appropriation for immigration indefinitely, we may make it one million or five million in place of a quarter of a million, and yet we will disastrously and ignominiously fail to settle that country until we remove the primary evil, until we are able to send them to a country which has cheaper land, which has a more liberal homestead law, and which gives the settler greater inducements. We are attempting by this grant to promote the interests of immigration, while we are at the same time losing sight entirely of the only thing which will enable us to succeed in our purpose; we are leaving unrectified and undisturbed the follies of a policy which is the root of all the evil. I do not believe that this immigration grant is necessary; I do not believe that it gives to us that class of immigrants who are desirable ones. I repeat what I said before, that men of intelligence, and energy, and means, go where the best inducements are offered to them, and are not led to go to a country by a slight grant to aid their passage. If we are to secure immigration to this country, we must change our public policy, we must do something to disabuse the public mind of the impression that this country is going to ruin. If we are to secure immigrants, we do not require a public debt of \$250,000,000. If we are to secure immigrants we do not want to pile up the public expenditure, to increase the taxation and leave intelligent men under the impression, which they are sure to gather from these facts, that the country is going to be a dear country, that the future of this country is clouded, that its future is a doubtful future. We do not want to place ourselves in a position in which when a comparison is drawn between us and the United States, we are shown in an unfavorable light and are growing more and more so each year. While the United States are reducing their debt, with a scale of taxation which produces very much less per head than ours, they have a surplus that they do not know what to do with, and the necessity of reducing that taxation is becoming imperative. While their public debt is \$20 per head and ours is \$48 per head, I say that a patriotic impulse leads us irresistibly to warn the Government of these things—to show them why it is that we do not prosper, why it is that immigration does not come here, why it is that our own population are deserting us. These are the evils which beset us in Canada, and the hon. gentleman, when

he finds fault with hon. members on this side for what he calls their unpatriotic conduct, in pointing out the inevitable results of the policy he is pursuing, is simply drawing a red herring across the trail, and attempting to divert attention from the real evil with which we have to contend. I say that the example of the United States proves conclusively that expenditures of this kind are unnecessary, because they have never made them, and yet they are more successful than any other nation in the world in securing immigrants. If we adopt some of the features of their policy with reference to cheap lands, a liberal homestead system, and care of the settler, we will secure immigration; but if we pile up debt and taxation, and continue to indulge in our present course of extravagance, no immigration appropriation will rectify the evil, or will have the slightest tendency in that direction.

Mr. BROWN. It is quite refreshing to hear the observations of hon. gentlemen opposite with reference to the immigration policy of the Government. On every occasion they seek to elevate the United States as against their own country, and the pure, unadulterated Grit is never happier than when he is decrying his own country.

Mr. CHARLTON. Order.

Mr. BROWN. The hon. gentleman may call order, but before I have got through with what I have to say, I will prove my assertion. With regard to the necessity for immigration agents in the Old Country, perhaps there would be no necessity for them at all if the hon. gentlemen opposite were as true in their allegiance to their own country as they ought to be, and spoke of it in the manner in which it deserves to be spoken of. We hear them, on all occasions, parading before the world the statement that the United States is in every respect a better country for immigrants to come to than Canada. I will be able to state, before I am through, some of the reasons why it is not only necessary to have immigration agents in the Old Country, but why it is necessary that they should be increased, on account of the tactics of hon. gentlemen opposite in order and to counteract the baneful influence which they exercise in relation to immigration to this country. Some two or three years ago, a gentleman of eminence in the Old Country, connected with the Royal College, which grants diplomas to graduates in agriculture from all parts in the Empire, heard so many conflicting accounts of the condition of Canada, that he came to this country to find out the facts for himself, with regard to Canada as a field for the immigration of those who receive the diploma of the society. He came here on account of the confusing and conflicting accounts which were published in the English papers with respect to Canada. I have it from the lips of this gentleman, Professor Tanner, that he has been most anxious to induce immigrants to come from England, Scotland and Ireland to settle in this country, and particularly in the North-West. Before leaving England he wrote to the editor of one of the leading agricultural journals of England, which was accustomed to publish all the reports which came from this country antagonistic to Canada, saying that he would be glad if he would give him the address of some of the cases of tremendous hardship which were said to exist in the North-West, declaring that he would personally investigate those cases. The editor said he was not able to give any of these addresses, but that the chances were that if, when in Canada, he applied to the *Toronto Globe* he would get the information he desired. That paper is the paper of all papers in Canada that hon. gentlemen opposite pin their faith to. When he came to this country he went to the office of that paper, and he found that he could get little or no information there. He went to the North-West and enquired into the condition of matters for himself. He called

Mr. CHARLTON.

on a great many settlers there, and ascertained from their own lips that they were prosperous, and contented, and happy. On his return he called again at that newspaper office and stated that he was requested to ascertain the truth of those statements copied from this leading Canadian journal, all indicating that this country, of all other countries in the world, was unfit for human beings to settle in. If there was a story of hardship in the winter, or of someone having suffered from frost, it was magnified and sent home to be copied into those English papers. Professor Tanner satisfied himself that there was not a vestige of truth in any one of those statements, and that no more hardships occurred to the settlers in that country than usually occur to settlers in any new country. But hon. gentlemen opposite are continually representing that an immigrant from any part of the earth will be better served and cared for in the United States than in Canada, and therefore it is singularly amusing to find them standing now and attacking the Government for not, forsooth, doing their duty in regard to immigration. The whole fault lies at the door of hon. gentlemen opposite in decrying their country. Take the American, no matter what party he belongs to, the township he lives in is the best township in the county, his county is the best county in the state, his state is the best state in the Union, and the Union is the best country in the world; but hon. gentlemen opposite are continually decrying Canada, and then abusing the Government because they are not settling the country fast enough. They know that to them belongs the responsibility of diminishing the immigration to this country. Let them take a lesson from the experience of the past, and let them do their duty as Canadians, and seek to elevate their country instead of decrying it, as they do continually. The United States is all well enough; we have nothing to do with that; but our duty is to show the advantages of our own country to immigrants. The hon. gentleman who has just sat down knows right well that the statement he makes as to the cost of agricultural implements in the North-West, is baseless. The hon. member for Selkirk (Mr. Daly) the other day proved that statement to be without foundation. To-day the settlers in the North-West can get the best agricultural implements, made after the United States pattern, cheaper than they can be got in that country; and yet the hon. gentleman stands up and tells this House and the people of the world through the press that if they come to this country they are taxed beyond measure, and that the agricultural implements they buy are higher here than they are in the United States. Everything that hon. gentleman and those beside him say goes to prove to the world that immigrants from all parts of the earth will get better homes in the United States than they will in Canada. Every Canadian has to do his part in writing the history of his country, and it is no part of the duty of hon. gentlemen opposite to seek month after month and year after year, as they have done in the past, to degrade their country, and make out that the United States is a better country for immigrants to go to. It is all nonsense for hon. gentlemen opposite to try to draw a herring across the track. They are responsible more than anybody else in this country for the diminished immigration, and I trust that the House will realise the situation, as I am sure the country does to-day. Let them take pattern by the example of the people of the United States, whom they are so fond of quoting on all occasions; let them learn something of their loyalty to their country, in crying it up, no matter what side of politics they belong to; and if they unite with gentlemen on this side of the House in placing Canada before the world as she ought to be placed, we shall not hear much more about the loss of immigration. Fortunately for the United States there is no party in that country that seeks for party purposes to decry their country; but every man there, no matter what party he belongs to, stands up for his country. Hon. gen-

tllemen never seem to be in a happier or more joyous mood than when they are decrying their country, which they ought to thank God for the opportunity of living in, and to which they ought to invite people to establish happy and prosperous homes.

Mr. PATERSON (Brant). You cannot have failed to perceive that hon. gentlemen opposite have learned their lesson very well. They caught the key the hon. Minister of Finance gave them to-night, and it has been piped upon and harped upon ever since. We have been told by hon. gentlemen opposite, following the example of the Minister of Finance, that we are never happy except when we are decrying our country. We have been told that the real Grit is never happy except when he is doing that. Well, the hon. gentleman himself was a Grit at one time.

Mr. BROWN. If the hon. gentleman refers to me, I tell him that I never was a Grit, and I hope I never will be a Grit.

Mr. PATERSON (Brant). I stand subject to correction; but I was told by a gentleman that he was one of a deputation who waited on the hon. gentleman some years ago to request him to run in the Grit interest in a neighboring constituency. I was going to say that the hon. gentleman, having been a Grit himself some time ago, would know whether what he stated was so or not.

Mr. BROWN. I never was a Grit.

Mr. PATERSON (Brant). I want to tell him if, when he thought he was in that position, he was happy in decrying his country, he must not judge others in the same way, because he is not built as other members are built.

Mr. BROWN. I never decried my country.

Mr. PATERSON (Brant). But this is only the amusing part of the matter. One can afford, of course, to laugh at the statements of the hon. gentleman; scolding and throwing one's arms about hurts no one. But there is a side to the remarks of the hon. Minister of Finance and the gentleman who has just taken his seat, which is on a line with the course that has been pursued by the Government which these hon. members support. What do they tell us in effect? Have they denied the figures that have been produced? No. They are not the production of the hon. member for South Huron (Sir Richard Cartwright), but they are the official figures that have been given to us by the Ministers themselves. There has been no attempt to deny the accuracy of those figures. I am speaking within the judgment of the House. The hon. the Minister of Finance, in all his harangue, did not attempt to controvert one figure; and when hon. gentlemen on this side, basing their opinion on these figures, which the hon. gentleman has not attempted to controvert, say this is not a good exhibit and that there is something wrong, we are treated to a scolding by hon. gentlemen opposite for decrying the country. What does it mean? Looking at it in the light of what we know occurred prior to the last election contest, when we saw the Ministers of the Crown going through the country and giving the people to understand that our national debt, which in reality is \$223,000,000, was \$27,000,000 less, we get an idea of these gentlemen's notions of patriotism. Their patriotism consists in the lie.

Mr. HESSON. I call the hon. gentleman to order. That language is not parliamentary.

Sir CHARLES TUPPER. I would ask the hon. gentleman how you can lie, if you are standing.

Sir RICHARD CARTWRIGHT. I think that problem has been solved pretty frequently by the hon. gentleman.

Mr. PATERSON (Brant). So you see, Sir, what their ideas of patriotism are. These men, in order to be patrio-

tic, must not tell the truth. We must not give, according to them, what is really and absolutely truth to the public, but we must distort facts, and make, in fine, statements that are absolutely false. The Opposition are not prepared to be patriotic in that sense. We leave the monopoly of that patriotism to hon. gentlemen opposite, and I must say they work that monopoly for all it is worth. Will these hon. gentlemen rise in their place and explain the ghastly result of their efforts to people our North-West; let them explain how it is that that country, which is equal to any part of the north-western States—in which we ought to have as large a population, which has as bright a sun shining and as fruitful showers falling upon it as the country to the south of us, and is free in a great measure from the frightful cyclones that sweep over that section—is comparatively untenanted and a wilderness to-day, while those other states lying just to the south, with less natural advantages are teeming with hundreds of thousands of prosperous contented settlers.

Mr. HESSON. They have 60,000,000 of a population to draw from.

Mr. PATERSON (Brant). We are discussing the item in the estimates of \$200,000 to induce people from other countries to settle there.

Sir CHARLES TUPPER. Only \$150,000.

Mr. PATERSON (Brant). \$229,000, if I may correct the hon. gentleman. We are discussing the item of \$229,000, as I understand it, and the Minister of Finance stands corrected. He is just proceeding on the same basis as he did when he stated the amount of public debt. When he speaks of the possibilities of the country he deals in large appreciations, and it is pleasant to hear his rounded periods and glowing prophecies, which I wish were true; but here we are discussing a business matter from the facts and figures we have before us. Now, the hon. gentleman opposite denied the fact that there are very few settlers in the North-West, but he contented himself with merely denying it, and did not produce any proof.

Mr. DALY. I will show later on.

Mr. PATERSON (Brant). The hon. gentleman does not know everything. He does not know as much with reference to that matter as the gentlemen appointed to take the census, and who are paid thousands of dollars for doing it. What do those gentlemen, appointed by the Government to do that work, say with reference to the population of that country? Let us place the statement made by the hon. member for Selkirk (Mr. Daly) against that of the paid officers of the Department who made the actual count. What are the facts? We had a census of the Territory taken in 1885, and according to it, there are 48,363 souls there. In 1886, last year, we had a census taken in Manitoba, and I find that, according to it, the population there consisted of 108,640 souls. I am taking in the whole population, for I do not wish that the hon. gentleman should have any side issues to argue upon. The total population of Manitoba and the North-West Territories, according to the official figures upon the Table of the House, therefore, amounts to 157,003. If it be unpatriotic to say there are not more people in that country, the want of patriotism is the act of the Government. They are publishing to the world these figures. If they did not want these facts to be known, why did the Government not use their despotic power as they have used it in other matters? Why not do in reference to these as they have done in reference to others, distort and misrepresent them. If there be any lack of patriotism, then the lack of patriotism must be charged on hon. gentlemen opposite, who have placed upon the Table of the House, in the sight of all the people, the fact that, owing to their mismanage-

ment this great country in the west has a population of but 157,003 souls. How discouraging is this when we know that in Dakota, which is not as good a country, no less than 125,000 souls went to settle there in the last year. What does this state of things reveal? Does it reveal the fact that the Government since they came into power, since 1878, have placed 157,003 souls in that country? Why, no. In 1881, there were 122,400 souls there, so that the increase in these years, under this patriotic, this great, this model Government, has been—what? Why, that in the whole of Manitoba and the North-West Territories in the six years, after an expenditure of three million dollars since 1880, including the estimates of this year for immigration, they have expended about \$100,000,000 of the public money besides, and, as the result of this expenditure, they have placed in that country in the six years 34,603 people. That is the total increase, natural increase and immigrants brought into the country. These are the figures given us by hon. gentlemen opposite, and if there is want of patriotism in stating the facts of the case, it is these gentlemen who are guilty. Yet they rise and pretend to lecture hon. gentlemen on this side because we wish simply to draw useful lessons for the Government of this country, and seek to devise remedies for the mismanagement that must exist. Let them turn their guns upon themselves, let them turn abuse upon themselves, and say how rashly they have acted, as shown by the fact that in six years we have only been able to increase our population by 34,603 in the Territories and Manitoba. Though we have spent about three millions of money in immigration alone, though we have built the Canadian Pacific Railway, though we have spent millions in surveys, the result is that we have got 34,603 souls. They may claim, and the Minister of Agriculture does claim, that they had better results for their immigration policy, that they sent the immigrants into that country. Supposing we give the Minister of Agriculture the benefit of saying that he did send more than that in the country, where will he put the blame? Upon what member of the Government will he put the blame? Upon what member of the Government will he put the blame for driving these people out of the country into which they had come? That is a question to be answered. If the figures of the Minister of Agriculture given to us in the official document are reliable, they state that from 1881 to 1886, 166,002 souls went in as immigrants to that country. We know from the census of 1881 that there were 122,400 people there, so that those sent in by the Minister of Agriculture, which he reports to us year by year, added to what was in before, should give us there at the present time 288,402 souls, without any natural increase. But we find there are actually there by the census of 1885-86 only 157,003 souls. In other words, we have lost in six years, besides the natural increase, 131,399 souls out of that country. And yet, with that exhibit, with that ghastly exhibit, as it was called by the hon. member for South Huron (Sir Richard Cartwright), we are asked to go on with the system of immigration, to endeavor to induce people to come into that country, a country which they might be proud to come to, and which it would be to their interest to come to. But, by some strange fatality, brought on, as I believe, by the misgovernment and mismanagement of the country, it has resulted, as we see, in figures that ought to stagger everyone, figures which ought to make a Canadian Parliament, even a Canadian Parliament like this supporting hon. gentlemen opposite, pause and consider and seek the cause why it is, if the Minister of Agriculture's figures be true, that 131,999 souls left that country in six years. Either that is true or we never sent them in at all, and in that case the Department would have been giving to us lying statements not borne out in fact. I would not like to charge that to the Minister of Agriculture, but to find that these men went in there and lived under our flag, and

Mr. PATERSON (Brant).

had to leave and go elsewhere to the extent of 131,000 souls is most discouraging. There is another matter in connection with this. How about this immigration business altogether? We are scolded by these hon. gentlemen for alluding to it at all, but it occupied their attention a good deal during the election time. I think we were promised some economy in regard to this. I think we were promised that a different system was to be entered upon with better results. I think that the mechanics and wage-earners of Ontario were given to understand that the assisted immigration business was to be stopped. They recognised the fact that it had not been successful. They recognise that on the eve of an election. The *Mail* newspaper is my authority for saying that the First Minister, at Owen Sound, declared that the policy of the Government was to abolish the assisted passages altogether or to confine them to farmers who were going to settle in the North-West. I think if a farmer is going to settle in the North-West and has sufficient means for that purpose, he would not need to be given his passage money. But how about the wage-earners and mechanics and the class that were told all this? How are they treated? Is the new policy to be carried out? I saw this in a Toronto newspaper, and I think it is worth while to read it to the House in order to show how very closely the ante-election policy is attended to when the Government gets back to power; to show how that feeling of sympathy which swells the great heart of the First Minister, his regard and his feeling for the laborer, subside from his manly bosom when the election is over. I read that the Trade and Labor Council sent the following letter to the Hon. John Carling, Minister of Immigration, Canada:—

"TORONTO, 3rd March, 1887.

"HON. JOHN CARLING,

"Minister of Immigration, Canada.

"SIR,—I am directed by the Legislative Committee of the Toronto Trades and Labor Council, and for the information of the last mentioned body, to draw your attention to the following quotation from an editorial article, under the heading 'Assisted Immigration,' which appeared in the *Standard* newspaper, published in Toronto, under date of 17th February ult, and in which quoted paragraph the *Standard* conveys the impression that it speaks with authority and for the Government of the Dominion, when it says:

"3. When the present Conservative members returned to office they found this binding agreement holding them to its provisions for a term of years. So soon as they were at liberty to do so, they stopped assistance to mechanics, and now they have stopped all money assistance to immigrants, and the whole system of assisted passages is ended so far as the Dominion Government is concerned."

"And I am further directed to respectfully ask if it is true, as stated above, that the Dominion Government 'have stopped all money assistance to immigrants,' and that 'the whole system of assisted passages is ended,' so far as the Dominion Government is concerned?

"Trusting that the statement in this paper is correct,

"I have the honor to remain,

"Yours respectfully,

"D. J. O'DONOGHUE,

"Secretary, L. C."

That letter was written on 3rd March, you will observe. The election was over.

"In acknowledgment to the foregoing communication, your committee received the following on 22nd March:

"DEPARTMENT OF AGRICULTURE,

"OTTAWA, 19th March, 1887.

"SIR,—I have by instruction from the Minister of Agriculture, to acknowledge your letter addressed to him on the 23rd inst. on the subject of immigration arrangements, and in reply to say that this letter, which arrived during the temporary absence of the Minister from the seat of Government, will receive his attention as soon as he returns.

"I have the honor to be, Sir,

"Your obedient servant,

"JOHN LOWE,

"Sec., Department of Agriculture.

"D. J. O'DONOGHUE, Esq.,
"Toronto."

This letter was written only 19 days afterwards. There was no hurry attending the wage-earners now. They had

been used for all they were worth as far as those gentlemen could do it. It took 19 days to get that answer.

"Your Committee, realising the onerous and many duties devolving upon a Cabinet Minister, and consequent liability to unintentionally forget something, again addressed the honorable the Minister of Agriculture as follows:—

"33 BELLEVUE PLACE,

"TORONTO, 16th April, 1887.

"HON. JOHN CARLING,

"Minister of Immigration, Canada :

"DEAR SIR,—By direction of the Legislative Committee of Toronto Trades and Labor Council, I respectfully draw your renewed attention to my letter addressed to you under date of 3rd March, ultimo, and which has not been honored with a reply to date.

"Under date of 19th March, Mr. Lowe wrote me in acknowledgment, and relating at the same time that on your return to Ottawa (you were absent from that city at the time apparently) you would be good enough to reply to my communication.

"As the subject referred to in my letter of the 3rd March is of the utmost and most pressing importance to the wage-earners of Canada, an answer thereto as soon as convenient would be duly appreciated, so that the same may be laid before the Trades and Labor Council at its next meeting.

"I have the honor to be, Sir,

"Respectfully yours,

"D. J. O'DONOGHUE,

"Secretary Legislative Committee,

"Toronto Trades and Labor Council."

Then they add :

"Your Committee regret being obliged to add that up to date the honorable the Minister of Immigration for the Dominion has not paid any further attention to these communications from the representatives of your body in this instance."

This paper was published on 7th May, so from 16th April to May 7th, they had not received an answer at all. That is the way in which the Government that has such a warm regard for the workingmen acted. That is the way in which they treat their representatives. The Minister, of course, will know whether he has sent that letter or not. I trust, having called his attention to it in this way, he will be able to write to these people now at length. I would like to know whether it is so; I would like to know whether there has been assisted passages or not. The Minister of Finance says: "We don't want paupers here, we don't encourage them"; but if I am not mistaken, I think I read a report of him speaking in London where he said there was room for tens of thousands, I do not know but he said hundreds of thousands, of pauper children in Canada—but I speak subject to correction. This is what I find in the report of the Minister of Agriculture: "The following statement shows the number of immigrants, chiefly children, brought to Canada under the auspices of charitable societies, and individuals during the last three years." I presume they are paupers or they would not be under the auspices of charitable societies. The number brought was 1,988, and \$2 apiece was paid for bringing them, yet the Minister tells us that we do not desire any immigration of that kind. Then we are told that laborers and mechanics are not coming, that it is only farm laborers and domestic servants. Well, the report of the Minister of Agriculture gives, as the trades and occupations of the steerage adults landed at the port of Quebec for the year 1886, farmers, 2,196; laborers, 6,966; mechanics, 1,110; clerks and traders, 139. The trades and occupations of the steerage passengers landed at Halifax were as follows:—Farmers, 513; laborers, 2,476; mechanics, 202; clerks and traders, 104; female servants, 496. So, take the female servants and the 513 farmers, and you have less than a thousand against the 2,476 laborers, the 202 mechanics and 104 clerks and traders that were brought into the country. Now, these gentlemen have been memorialised time and again that we had in Canada all the mechanics and the laborers that were requisite to do the work. I see in the report that their agent in British Columbia, of whom some gentleman spoke as having gone from Manitoba to British Columbia, speaks

of the labor market being overstocked, and I venture to say that the Minister has received similar reports from other Departments, yet they go on with this system. They say: We are not doing it in the old Provinces, it is simply done in the North-West Territories. But we find it is not true with reference to the North-West Territories, by the figures I have given. And because we complain of this we are told that we are unpatriotic, we are decrying the country, and the hon. gentleman asks: What would be thought by a stranger in the gallery if he were to listen to a debate that was going on in this House and heard the statements of hon. gentlemen on this side, and, I suppose, heard the speeches of hon. gentlemen on that side. Well, Sir, I do not know what a stranger in the gallery would think, but I will venture to say this: If he were a sensible stranger and comprehended the situation, he would say: How on earth is it that the people of Canada support for one day the existence of a Government that has so mismanaged this country that they cannot retain the people in it after they come here? I think he would say that. I think he would be apt to say also: I wonder most of all how they can tolerate a Government who, having such meagre results to show, boldly claim for themselves all the patriotism that is to be found in this land. Sir, the hon. gentleman must not lecture us too much on our loyalty. I do not challenge his loyalty, I do not challenge his patriotism, and I do not allow him to challenge mine. I was born in the country, I live in the country. I want to remain in the country, and I want to help to build up the country, to arrest this mismanagement that is pulling down this country, that is retarding its progress.

An hon. MEMBER. You must be changing your course.

Mr. PATERSON (Brant). No, I am not changing my course at all. I will say this, that I am a little different from the Minister of Finance, because my country is so pleasant to me, so delightful, that I want to remain here; while he told us here the other day that he wants to hurry and get through this whole business, so he can fly away to England. Now, I am not like that, I am willing to stay here. But mark the influences that surround him when he gets to England. He is in the society of unpatriotic men. He told us that the inhabitants of England clustered around him, and said: Why, what a country you have got. We find our country going all to pieces, and we cannot live here. So there he is, cheek by jowl with men who are running down their country, and I greatly fear that he may become tainted, if he is not already so. I recommend him to stay in this country and assist, by his influence and ability, in making it greater and happier, to build it up and to remove the obstacles to its progress. That, Sir, is the object sought by the Opposition. But this end is not to be attained by simply putting \$250,000, or \$500,000, as was done at one time, of public money in a vote for immigration expenses. It is not to be secured in that way. Now, Sir, I have said that much which I desired to say. I want hon. gentlemen opposite to understand distinctly that we will not be prevented from stating the facts in reference to this or any of their cries of disloyalty. If they want us to prove our patriotism by making statements that are not correct, by stating that the public debt is \$27,000,000 less than it is, by saying there are more people in Manitoba than the official figures prove, then we will be unpatriotic. But we will say this, that, looking at these meagre results, there must be hindrances, there must be obstructions, and we believe these ought to be discovered, and being discovered, they ought to be taken away. I may be pardoned if I say that I think I have discovered the cause of these hindrances, and if I were desirous of taking up more of the time of the House—which I am not at present—I would be able to prove, at any rate to the satisfaction of this side of the House, that one of the

greatest obstacles to the progress of Canada that exists at the present moment is the Government as at present constituted, and that a radical change is needed.

Mr. DALY. The last speaker has made some statements which require a flat contradiction. The hon. gentleman has spoken of his loyalty and his patriotism. I did not make any allusion to that when I spoke previously, but I would ask the hon. gentleman if it is patriotic or loyal, when he quotes figures, apparently from the public returns, to quote them improperly. If I understood the hon. gentleman, he said that the increase of population in Manitoba and the North-West Territories during the last six years, was only 34,603. The census was taken in 1885, and not in 1886. He made a mistake of one year, and if he will look at the census returns for Manitoba alone, he will find that the increase was 46,000, and yet, forsooth, he tells us that the total increase for these five years in Manitoba and the North-West was only 34,000, whereas the fact is that between 1881 and 1886, the census shows an increase of 79,247. I would ask that hon. gentleman, if he does not want his loyalty or his patriotism to be impugned, to take a little more pains and quote the returns correctly.

Mr. PATERSON (Brant). I think not. I am subject to correction; but give me your figures and I can check them. I gave you my figures and said where I got them.

Mr. DALY. The census of Manitoba and the North-West gives—

Mr. PATERSON (Brant). Take them separately.

Mr. DALY. I take them together. You took them together.

Mr. PATERSON (Brant). I took them separately.

Mr. DALY. I beg your pardon. Manitoba and North-West Territories combined, 1881, 87,755; 1886, 167,002; increase 79,247 in five years.

Sir RICHARD CARTWRIGHT. Those are not whites.

Mr. DALY. They are the correct figures.

Sir RICHARD CARTWRIGHT. Those are not the figures of the census as that of the white population.

Mr. DALY. That is a point on which I disagree with the hon. gentleman. He would like to take the census of Manitoba at 95,000 instead of 108,000. The half-breeds are as much whites as we are. They enjoy the same rights in Manitoba, they vote and hold property, and when you say there are only 95,000 in that country you insult the half-breeds by that remark. I asserted the other night, and I assert again, that when that hon. gentleman tried to give the correct figures of Manitoba and the North-West he failed to do so. He is a distributor of gloom. He talked about the condition of the country under the Government of which he was a member in 1874-75-76 and the prosperity of the country. What did they do to promote the interests of Manitoba and the North-West? Did they send any immigrants there? What did they do towards constructing the Canadian Pacific Railway? I will illustrate this point by mentioning a story I heard during my election. At one of my meetings an Irish gentleman was appointed chairman. In opening the meeting he said: "I am exceedingly proud of the honor done me by appointing me as your chairman to-day. The question for you to decide is, whether you will vote for Mr. Christie or Mr. Daly. If you vote for Mr. Christie you vote to bring back into power the party led by Mr. Blake, and if that party had been in power to-day, instead of going from Winnipeg to Port Arthur in a palace car you would have been going down there on skates or in an ice boat." That was the celebrated water stretch policy of hon. gentlemen opposite. It was not until 1880, when the Canadian Pacific Railway was advanced by the policy of the present Government, we had any population in Mani-

Mr. PATERSON (Brant).

toba and the North-West. I will admit there is a discrepancy between the immigration returns and the census return.

Mr. PATERSON (Brant). You will.

Mr. DALY. I have never denied it.

Mr. PATERSON (Brant). There is also a discrepancy between them and your figures.

Mr. DALY. I have stated them correctly, and I am not to be interrupted. The census of Manitoba, 1881 (deducting the population found in the Territory, since awarded to Ontario) 62,260; census of North-West Territories, 1881, 25,515, giving a total of 87,775. Immigration gone in from the date of census 1881 to date of census 1886, 155,477, giving a total of 243,252 people. Census of Manitoba, 1886, 108,640; census of North-West Territories, estimating one year's increase since 1885, 58,362. Total, 167,002. Deduct 167,002 from 243,252 and there is a discrepancy between the census and immigration returns.

Mr. PATERSON (Brant). You take ten thousand people as the increase in the Territories for one year.

Mr. DALY. My figures are correct, and you cannot dispute them.

Mr. PATERSON (Brant). I can dispute them.

The CHAIRMAN. The hon. member should not interrupt the speaker so frequently.

Mr. PATERSON (Brant). I beg your pardon.

Mr. DALY. The increase is 79,247; or equal to 90.3 per cent. The census of Minnesota in 1870 was 439,706, in 1880, 780,703; increase, 77 per cent. Combined population: Colorado, Dakota, Kansas, Minnesota and Illinois, 1870, 3,398,041; in 1880, 5,184,244; increase, 53 per cent. Those figures show very clearly, notwithstanding all we had to contend against in the North-West, as I pointed out on a previous occasion, that the country made good progress. I have admitted there is a discrepancy, about which there is no question. To return to the statement made by the hon. member for North Norfolk (Mr. Charlton) who is not in his seat, that the United States spends nothing on immigration, I cannot understand any hon. member making such a statement. Does the hon. gentleman contend that the consuls of the United States are not immigrant agents for the United States? Every person would be willing to admit that the consular service is used almost exclusively for immigration purposes; and we find from the returns that the salaries paid to the consular service of the United States amounted to \$444,600 last year, while all we ask for the total appropriation is \$229,525. The total expenditure for the United States consular service and Castle Gardens is \$1,278,225. Is not that, in the interest of the United States' immigration? The State of New York maintains Castle Gardens at a cost of \$1,129,252. Yet hon. gentlemen will rise and say that the United States spend nothing for immigration. Does the hon. member for North Norfolk (Mr. Charlton) overlook the fact that every line of railway in the United States spends money for immigration purposes? Does he overlook the fact that every American railway is an immigration agent? With respect to the Province of Manitoba and its condition and the field it offers for settlement, I will not take up the time of the House further than to read an extract from a letter written by an English immigrant settled in Manitoba, which letter is published in the *Chester Chronicle* and *North Wales Advertiser*. He writes:

"SIR,—I have read with considerable interest for several years the remarks in the *Chronicle* under the heading of 'Farm Notes,' and I thoroughly agree in the main with what your correspondent advocates. I would, however, like, if you can find room, to try and point out to the tenant farmers of Cheshire a better remedy than combinations such as

farmers' unions, &c., to redress their many grievances. In one word, I would strongly recommend emigration.

"I know it is a difficult matter to break up old ties and associations, and to take what some would suppose 'a leap in the dark,' but for young couples especially there are homes beyond the seas equally as good so far as neighbors, churches, schools and other things that help to make up a happy community, as in old England, and for the sake of sentiment it is poor policy to cling to the old homestead and go from bad to worse.

"Let me draw your attention to Manitoba briefly as a field for emigrants. I read the correspondence in your paper sometime ago, signed I think a 'Cheshire Clergyman,' and he gives a woeful account of that country. Everything went amiss, Arctic cold, crops all frozen, and taking it altogether a country hardly fit for man or beast. I can understand pretty well how all this came about. His correspondent was very likely one of the many young men sent out from old England scattered over Manitoba and North-West Territories, with a capital of say about £200, a gun, and a fancy shooting suit, and a general notion of farming. They take up Government land, buy an outfit as far as the money will go, and with their inexperience it will readily be understood it does not go far. They then commence farming. Now pause for one moment and suppose such characters commenced farming in England with every convenience in the shape of houses, buildings, &c., and imagine what success they would meet with. Can anyone, therefore, be surprised if they utterly fail in Manitoba with all the disadvantages of a new country, practically nothing but the open prairie to work upon. And yet these youths write home, call the country every hard name they can find—nothing is too bad for it, and the people will listen and be guided in some degree by their reports.

"I have lived in Manitoba four years farming and among farmers, and I can truthfully recommend that country as a very desirable field for the energies and capital of the tenant farmers of Cheshire. Land can be secured from the Government, the Canadian Pacific Railway Company, and other companies on very easy terms, from the former as a free gift after residence and improvements, and from the latter on easy cash terms. But better still there are plenty of improved farms of from 160 to 320 acres, with from 50 to 100 acres broken up, tolerable buildings, some fencing and in well settled neighborhoods, near to churches, schools, railway and post office, and these can be purchased at very reasonable figures, say from £150 to £300. I would recommend new comers, tenant farmers, to buy such farms, as they are the cheapest in the long run; good milch cows can be bought from £7 to £10; horses, good team, £60 to £80; other live stock in like proportion, and implements at a reasonable figure. Prices for grain, beef and pork, butter and eggs, are not high just now, but the low figures without rents or tithes, are a long way ahead of English prices of to-day, and a farmer if he does not, as the saying is, 'put all his eggs in one basket,' can make money, besides build up a good inheritance for his children. Mixed farming pays best, and the bulk of the Manitoba farmers see this now, and it is a common thing to see on farms fine herds of cattle, sheep, &c., along with fields of wheat.

"Much has been said about the climate of Manitoba, the terribly cold winters. I grant the winters are cold; part of December, all of January and part of February is pretty severe, but the cold is of such a nature, the sun shining brightly all the time, that it is not felt like the murky, damp cold of England. With the exception of these months the weather is all that can be desired, and without any prejudice I prefer the climate of Manitoba to that of the Old Country. It is without doubt the healthiest in the world.

"I have no desire to paint up the country as a paradise. A new comer has a lot to learn, many things will strike him as different to the old, and he will have to put up with many inconveniences and drawbacks. But the thought that beyond all this there is a prospect of independence will nerve him to persevere and eventually succeed, and I trust the coming spring will find many of the over-burdened tenant farmers of Cheshire wending their way to Manitoba, where there is room for thousands."

Now, Sir, after reading that letter, taking the statement of the hon. gentleman from North Wellington that he didn't think there was any necessity for the hon. gentleman to go back to England, I want to know how we are to get those men whom the gentleman who writes the above letter asks to come to this country, if we do not have immigration agents in London and elsewhere from whom they can get their information. I think that is the best possible evidence to show that the grant should be increased rather than decreased. I am sorry the hour is so late that I cannot go further into the question, but I think I have shown conclusively, so far as the figures I have given relating to immigration are concerned, that the facts stated by the hon. member for South Brant (Mr. Paterson) are not correct.

Mr. PATERSON (Brant). The hon. member for South Brant does not think so, and he happens to have the census before him, and if the hon. gentleman will compare his figures, I will not be disposed to charge him, as he has charged me, with uttering figures that he knows were incorrect, but I will be more charitable than he was to me;

I will say that it is possible to be mistaken, and that I think the hon. gentleman is mistaken. According to the census of 1881 the population of Manitoba was 65,954. Is that correct?

Mr. DALY. 65,934.

Mr. PATERSON (Brant). Well, the census says 65,954. Then the population of the Territories amounts to 56,446, and the two amounts together give you 122,400, which is just what I stated.

Mr. DALY. The census in Manitoba, deducting the population found in the Territories since the award was made to Ontario, is 62,260. At that time Keewatin and those parts of the country were in Manitoba, and they have gone back to Ontario.

Mr. PATERSON (Brant). How many?

Mr. DALY. Three thousand and some odd, making 62,260 in the census for 1881. I gave 25,575 for the Territories. Is that correct?

Mr. PATERSON (Brant). The census gives 56,446, that is all.

Mr. DALY. For the Territories for 1881?

Mr. PATERSON (Brant). Yes.

Mr. DALY. I have everything here.

Mr. PATERSON (Brant). The census gives for the Territories 56,416, district 192 not represented.

Mr. DALY. They must take Keewatin, Athabasca, and the unexplored territories.

Mr. PATERSON (Brant). The hon. gentleman will see the necessity of not being quite so positive.

Mr. DALY. I gave the census of the North-West Territories at 25,575. Now Keewatin, Athabasca, and the unexplored territories give 30,360, which will make exactly the 55,000, which the hon. gentleman gives, so that the figures are the same.

Sir CHARLES TUPPER. I think, Sir, we might now pass the item.

Sir RICHARD CARTWRIGHT. No, not yet; the hon. member for South Brant has something to say, and so have I.

Mr. PATERSON (Brant). I do not like my figures to be challenged, or to have it imputed to me that I gave them knowing them to be wrong. When I gave for the census the population of the North-West Territories, the hon. gentleman admits the figures, but in his calculation he adds 10,000 for the increase of one year. As I have shown the whole of Manitoba and the North-West increased in six years only 34,603, so you can see how modest the hon. gentleman is in his estimate when he adds 10,000 for one year. He sets his estimated figures against the official census.

Mr. DALY. You said for 1886; I said for 1885—five years, and I added 10,000 estimating for one year's increase.

Mr. PATERSON (Brant). I stated that the increase of six years was 34,603.

Mr. DALY. How do you get six years?

Mr. ROSS. It is five years.

Mr. PATERSON (Brant). It is the census of 1880-81, and the census of 1886 would cover it. But supposing that we do that, how many does he want, when, according to his own figures, the average in the whole of the Territories is not six thousand a year. And besides I am not including the natural increase; I did not take that in; I want my

statements always to be within the mark. Then I took the Minister of Agriculture's reports and the census figures, and the result is exactly what I gave to the House. Notwithstanding the statement of the hon. gentleman opposite he knows nothing more about the figures with reference to the North-West and Manitoba than anyone else of equal business abilities, when he has the public document in his hands.

Mr. DALY. I do not desire to impute to the hon. gentleman that he knew the figures were wrong, but I gave the figures and he has not disputed them.

Mr. PATERSON (Brant). Yes, I have.

Sir RICHARD CARTWRIGHT. And if the hon. member for Brant (Mr. Paterson) does not, I do.

Mr. PATERSON (Brant). I took in the Indians and half-breeds, and the hon. gentleman says I left them out.

Mr. DALY. No, I said the hon. member for South Oxford (Sir Richard Cartwright) left them out.

Mr. PATERSON (Brant). No, the hon. gentleman was attacking me at the time.

Mr. DALY. I beg the hon. gentleman's pardon; I said the hon. member for South Oxford (Sir Richard Cartwright).

Mr. PATERSON (Brant). The hon. gentleman must have known when I gave 48,363 as the census of the Territories in 1885, that I was including more than the whites; he must have known that there were not that many whites and I wanted to throw in the half-breeds, but he would not have my figures. But he makes an estimate for himself by adding certain figures and deducting certain others, and then he rises and says that a gentleman speaking from the official census has been giving incorrect figures.

Sir RICHARD CARTWRIGHT. The question in hand was this—not what is the number of half-breeds, but how many white immigrants the Department of Immigration reported to have come into the North-West. I excepted the half-breeds for the best possible reason, that I do not think the Minister of Agriculture will venture to tell us that his report includes any considerable half-breed immigration coming into the North-West from distant countries; if they are, I should like to know where they came from. Now, we have the statement made by that Department, that 155,000 white people have been brought into Manitoba and the North-West. In order to ascertain what the facts were we were obliged to take the white population. I put the question to the Minister across the floor some time ago, and he very properly said that the white population of Manitoba was 95,495. This return which I hold in my hand shows that the white population in the Territories a short time before this was 23,000, making altogether 118,000. The census returns show, beyond the possibility of a doubt, that there were, in the two combined, early in April, 1881, before the immigration for that year came in, about 66,000 whites. Now, making a very moderate allowance for natural increase, which was less than I was justified in taking, that leaves you a bare 44,000 whites having come into that territory and remained there, as against 155,000 that the reports of the Department of Immigration represented to have come in. That showed either that we were wholly misinformed as to the number that had come in, or that if that number had come in, 112,000 or 113,000 had left the country. Sir, I say with all due deference to the hon. gentleman, that shows that our efforts to settle the North-West have resulted in disastrous and lamentable failure, which I regret, and which I suppose he regrets, and which can only be attributable to gross mismanagement, or to the grossest possible mis-statement put forth by one of the Departments of this country. I pointed these things out and asked for

Mr. PATERSON (Brant).

an explanation. I asked what excuse or reason could be given by the Department of Agriculture for that state of things, and I contend that these figures have not been and cannot be contradicted by any human being who supports the Ministry to-day. They are taken from their own official records, and they have nothing to do with any of the points raised by the hon. gentleman who replied to the hon. member for South Brant. I have no reason in the world to undervalue the half-breed population of the North-West, but I excepted them because they had nothing to do with the question at issue, which was, how far the returns of the Department of Agriculture were justified by the facts of the census.

Mr. WATSON. I will not occupy the time of the House at great length, but I feel it my duty to offer some remarks in reply to some statements made on the other side of the House. In 1883 and 1884 I attempted at different times to lay before this House some facts as to the actual condition of things in Manitoba and the North-West. For the statements I made, which have since proved to be true, I was branded as one who was decrying the country I lived in. I have always believed that if a patient is sick the best course is to suggest a remedy and have it applied at the earliest possible moment. At that time and ever since hon. gentlemen opposite have taken a different view. I must say that, to-night, I have heard from hon. gentlemen opposite more talk about frozen grain, and other disadvantages suffered by the North-West settlers, than I have ever heard from this side of the House. If they are not acquainted with the fact, I would inform them that last year we had no frozen grain at all, although the hon. member for Selkirk (Mr. Daly) stated that we had frozen wheat for the last two years.

Mr. DALY. I did not say for the last two years. I said we had frosts for two years, and the hon. gentleman cannot deny it.

Mr. WATSON. I do deny it. I live in a section of Manitoba where I have seen ten crops reaped, and I have never seen a crop there injured by frost. I stated that in the far west the country was not fitted for growing grain, but I never said a word against Manitoba. I believe we have there the finest field for immigration in the world, and all we require is a fair chance. Give us such tariff and such land regulations and laws as will encourage the people to live in the country, and we shall soon have the country filled up with a fine class of people. But I do say that while we have all these natural advantages, the policy the Government has pursued towards the country has deterred settlement. Now, there were some matters referred to to-night which I cannot pass over. So far as the number of settlers is concerned, there is no disputing the figures of the hon. Minister of Agriculture, showing that there are 95,000 whites in Manitoba, or 108,000 whites and half-breeds. It is a matter of regret that we have not more. In 1853, when it was stated in a report of the hon. Minister of Agriculture that 13,000 Americans had settled in the North-West in that year, I disputed the statement, and the hon. member for North Perth (Mr. Hesson) got up and said: "For God's sake, if we get a good report, let us have it." We have been getting these good reports; but would it not have been better to know that these people were not going into the country, and get a remedy. The remedy we want there is a reduction in the tariff and free competition for railways. With these two changes, I venture to say that we would soon have that country quickly settled. As the hon. member opposite has stated, in the United States every railroad company is an immigration agent, the best immigration agent that can be got. But unfortunately in Manitoba and the North-West we have not free trade in railways. We have to-day four lines of railway tapping at our doors and seeking admission—one to the west of Turtle

Mountain which is built to the boundary, another east of Turtle Mountain, which is close to the boundary, another at St. Jo, built to within 20 miles of the boundary, and another from Duluth working westward. I say give these railways admission to the country, and they will be the best immigration agents we can have, because they will be interested in settling up the country so as to secure the carrying of the produce. I have not time to-night to deal with some statements made the other night by the hon. member for Selkirk, when he stated that the people of Manitoba suffered nothing from the tariff. Why should the Canadian manufacturer want 35 per cent. protection if implements are not cheaper in the United States than in Manitoba? Any reasonable mind will admit that if the duty were reduced on implements, we would get them cheaper. As an instance of how the tariff works, I may state an incident that happened in the town where the hon. member for Selkirk lives. About last Christmas an Englishwoman who had come there a couple of years before received a present of some clothing from her friends in England, and on going to the Custom house, she found that she had to pay \$32 duty on them before she could get them. That is one of the reasons against people from the Old Country settling in the North-West.

Sir CHARLES TUPPER. If she had been in Dakota or Minnesota would she have been allowed to receive goods from Great Britain without paying any duty?

Mr. WATSON. No, she would not. While we, as Canadians, pride ourselves as being Canadians and British, because we belong to the mother country, we are preventing articles manufactured by artisans of the old country coming here by imposing a duty of 35 per cent. on the very article used by the old country settler. Reduce that duty and you will encourage those people to come here. I might refer to several articles, the duty on which bears heavily on the settler, and on which a reduction of duty would encourage settlement. Among these are agricultural implements, canned goods, binding twine and lumber. I have no wish to ask the Government to reduce the item under discussion, but I must express my regret that the expenditure has not produced better results. The best immigration agent is the contented settler. I pointed out the other day the number of passages to the United States that were paid in advance, and that number is far in excess of the paid passages to our country. Not only must we get immigrants into the country, but we must take care of them when they come; and the Government should see that good agents are appointed at points where the immigrants are likely to locate. Hundreds of immigrants who come to Manitoba receive no attention, and leave for the States, who would have otherwise remained with us. I have no doubt that the hon. the Minister of Finance is having a check taken of the immigrants who come over the Canadian Pacific Railway, but hundreds of them come through Winnipeg to Dakota, simply because they get better rates over the Canadian Pacific Railway on account of the inter-state law. I regret that a large number of people who settled in Manitoba have gone south. I was reading the other day in the paper that Mr. Alexander Sinclair, who, at one time was resident in Manitoba, went south of Turtle Mountain, and grew wheat which took the first prize at the exhibition in New Orleans. Yet people such as he have left us, although hon. gentlemen admit the climate and soil in Manitoba are superior to those of Dakota, because of our monopoly in railways and high tariff.

Sir CHARLES TUPPER. And they go where there is a greater monopoly and higher tariff.

Mr. WATSON. They can buy their agricultural implements cheaper, and their lumber cheaper and they get cheaper freight rates.

Sir CHARLES TUPPER. No.

Mr. BOWELL. That is the result of the policy of high protection. It will have the same result here shortly.

Mr. WATSON. It is a matter of public record that they go there in preference to staying with us. I would do anything to induce them to return and remain here. The acts which are performed by this Government every day are driving the people out of the country and keeping others from coming in. A few weeks ago, the Legislature of Manitoba passed a resolution that the Canadian Pacific Railway was squeezing the life blood out of the people. The president of the Canadian Pacific Railway said it was only a few demagogues and cranks who were raising the agitation in Manitoba, but we find that the Local Legislature there and also the reeves of some 23 municipalities have stated that the country was not progressing as fast as its natural advantages would permit, and I regret to say that the people of Winnipeg are in such an excited state of mind that some 4,000 or 5,000 of them actually burned in effigy the men who are at the head of the monopoly. That conduct is certainly to be regretted. But who is to blame? Why to-day, in another place, some five railway charters in Manitoba and the North-West were refused. Hon gentlemen opposite advertise that to the world, and people say they will not go to a country where there is not free trade in railways, because in a prairie country they expect to grow grain and require cheap transport. I hope that the Minister of Agriculture will do all in his power to encourage immigrants to come to Manitoba and the North-West.

Quarantine \$77,966

Mr. PATERSON (Brant). What is that \$14,000 for immigrant patients in Winnipeg and St. Boniface hospitals?

Sir CHARLES TUPPER. Immigrant patients are treated in St. Boniface hospital, and this is to meet the expense. The item is not increased.

Mr. PATERSON (Brant). It is not long ago this item found its place.

Mr. CARLING. That amount of money has been paid for a number of years according to an arrangement between the Government and the Winnipeg Council.

Mr. PATERSON (Brant). It seems to me that it is an excessive amount. The Government do not pretend to keep the patients at Winnipeg. It would only be such a chance traveller who would happen to get sick.

Sir CHARLES TUPPER. They are paid according to the time they are there; according to a regular arrangement between the Government and the hospital.

Mr. PATERSON (Brant). Does the hon. gentleman know the price of each?

Sir RICHARD CARTWRIGHT. Sixty cents a day.

Mr. POPE. This has been for a long time an arrangement with the people of Manitoba and the North-West. It is not for immigrants passing through there only, but it is a hospital for the North-West. We provided no hospital for the North-West, but we pay sixty cents a day for each. Sick persons in the Territories come down there to be treated.

Mr. PATERSON (Brant). Sick persons from the Territories come down?

Mr. POPE. Yes.

Mr. WATSON. This is a vote that ought to be continued. It is a very good vote, and there are people travelling through that territory, and young men working on the railway, and it is a matter there should be no discussion about. Accidents happen and sickness takes hold of young

men in the North-West, and it is very desirable on the part of the Government to provide them with this hospital accommodation.

Mr. FISHER. I wish to point the attention of the Minister of Agriculture to a question which I brought up last year, in regard to the establishment of a cattle quarantine station in the Eastern Townships near the boundary line.

Mr. CARLING. This is not in this vote at all.

Mr. FISHER. Pardon me, I think it is. I would much prefer not going on with it to-night, but I will have to do it. I call attention to the fact that, when I asked for that establishment last year, I was told that, in consequence of an agreement with the English Government, it would be impossible, because that Government would only allow that cattle from the United States should come in through the port at Sarnia. I called the attention of the Minister of Agriculture to the fact that cattle did come in at other points, especially in the North-West Territories and Manitoba. I was told that no cattle were allowed to come in except at the extreme west for breeding purposes and ranching, and that the results of that importation could not interfere with the arrangements made between this Government and the English Government. I take up the report of the Minister himself, and I find that at Emerson, which is not in the extreme west of the North-West Territories, but in the Province of Manitoba, 308 head of cattle came in from the United States last year, directly contrary to the policy the Government announced as the reason why my request could not be granted. I also find in the report of the cattle quarantine station at St. John, N.B., the statement that:

"In consequence of the importation of cattle from the United States that required to be kept in quarantine during the autumn and winter months, it became necessary to put repairs on the barn in which the cattle were kept."

In other words, I find in the report of the same Minister who last year stated that, in consequence of an engagement he had made with the English Government, it was impossible to establish a quarantine station on the borders of the New England States, and that no cattle were allowed to come in—I find, I say, at all events two ports where there are herds of cattle coming in from the United States.

Mr. CARLING. I think that the hon. gentleman must have misunderstood me at first. I did not understand that he referred to the North-West and Manitoba, but to old Canada.

Mr. FISHER. Last year I spoke of cattle coming into Emerson, and was practically told—I do not quote the exact words, but from memory—that only those which were imported for the ranching country were allowed to come in, except through the port of Sarnia.

Mr. CARLING. The hon. gentleman must certainly have misunderstood me.

Mr. FISHER. I did so understand him. But the hon. Minister has convicted himself this minute. He says that referred to old Canada, and I have quoted from St. John, N.B., which is certainly in old Canada, a passage to show that cattle are being received from the United States and money is spent for them. Perhaps the Minister will say no cattle came, but it is evident from the report of the officer that some cattle did come, else why should he want to repair the barn.

Mr. CARLING. Not from the United States.

Mr. FISHER. Excuse me, it says from the United States. This is the report of your own inspector, who receives the instructions of the Government at that station. Does the Minister tell me that his instruction is that no cattle shall be imported from the United States, and then allow this gentleman to spend money on this barn to shelter those cattle?

Mr. WATSON.

Sir CHARLES TUPPER. There being a quarantine station there, there is nothing to prevent cattle coming from the United States. There is one at Halifax, N.S., and there will be nothing to prevent cattle coming there from the United States.

Mr. FISHER. That is my quarrel with the Minister. He informed me that no cattle were to be allowed to come into Canada, except through Sarnia.

Sir CHARLES TUPPER. That is, into old Canada.

Mr. FISHER. Is not St. John, N.B., in old Canada?

Sir CHARLES TUPPER. No, certainly not.

Mr. FISHER. This is a very peculiar piece of reasoning. The reason given last year was that we had a special agreement with the Imperial Government that cattle were to be allowed to come into Canada, subject to proper quarantine regulations at Sarnia, and, when I asked for the quarantine station between Canada and the United States, he informed me that there was an agreement between the Government of Canada and the Imperial authorities. Does the Minister of Finance mean that the Imperial authorities will allow St. John and Halifax to receive cattle from the United States, when it is not to be allowed in Ontario or Quebec? The only reason the Imperial authorities can have for insisting upon the exclusion of these cattle, is to ensure that disease is not imported from the United States, and we are as much interested as they are in that. Our object is to see our cattle are not scheduled in England, and are able to be exported to England without the difficulties which arise in connection with the United States. But whether a quarantine station should be established at St. John, or in the Eastern Townships, at any other place, so long as no disease is imported it is all right. I say that because there is not a quarantine station on the border of the Eastern Townships, there is danger in that neighborhood, because, unfortunately, in consequence of the fact that there is no quarantine, there is a great temptation to import cattle without proper quarantining, and I dare say, the Minister of Customs could tell us something of what has occurred in that connection in that neighborhood. But, I am glad to know that up to the present time no disease has come in. I am glad to know that no disease has been imported, and I trust that no disease will be imported in the future.

Mr. BOWELL. Have you heard of any disease in the Eastern States, Maine and Vermont?

Mr. FISHER. Yes, I am aware of the fact that among Jersey cattle of the Eastern States, there is a hot bed of pleuro-pneumonia, and there is greater danger in the importation of such cattle for breeding purposes than in the importation of short-horns or any other breeds. In consequence of the fact that the population of the Eastern Townships are largely interested in dairying, there is a great desire to import throughbred cattle, to improve the dairying stock. The export trade in cattle is also a very important one in that section, and I think the people should be provided with facilities for importing cattle to improve their stock without being subjected to the danger of importing infected cattle. I drew the attention of the Minister to this matter last year and asked for the establishment of such a station. I only made allusion to these reports here to-night because of the inconsistency between the answer which was then given to me, and the plea that was put forward, and the reports which the Minister now lays before Parliament as to the effect of last year's administration. I believe if the Minister examines this question he will find that there is no agreement with the Imperial authorities which will prevent such an establishment.

Mr. POPE. There is an agreement. It was represented to the Imperial Government that there was no pleuro-

pneumonia in the western States, but that it prevailed in the New England States, and in New York there was a great deal of it, and consequently an agreement was made that we might have quarantine at Sarnia, and cattle might be brought in from that section in which it was represented there was no disease, and up to a very short time ago there was no disease in that part of the country. But of late, some diseases have been discovered, and upon these conditions they are allowed quarantine at Sarnia and none from the eastern States where it does not prevail. I know nothing about the report of this gentleman from St. John, but I imagine that a quarantine in St. John was for cattle brought from the United States.

Mr. FISHER. Well, it is evident that this gentleman is ready to import cattle from the United States, and he expects to import them from the United States.

Mr. POPE. He may have done so, but it was without permission.

Mr. FISHER. The Minister of Railways is casting a grave reflection upon the Minister of Agriculture. He virtually intimates that the Minister of Agriculture has been negligent in his duty, but that does not at all bear upon the argument I have made.

Sir CHARLES TUPPER. The hon. gentleman has stated his argument a half dozen times. As I understand it, he is asking that there should be facilities for introducing pleuro-pneumonia into Canada; in other words, he wants an arrangement made by which cattle can be brought from the United States into the Eastern Townships of Canada. Yet he tells us the eastern States are a hot-bed for pleuro-pneumonia. I think this is hardly worth while taking up the time of the committee at one o'clock in the morning.

Mr. FISHER. I am not going to allow the Minister of Finance to put an argument into my mouth that I never used. He must not think that he is going to carry through his estimates in this fashion, without allowing full discussion. If he does not wish this item discussed at this hour of the night he can leave it over.

Sir CHARLES TUPPER. Go on.

Mr. FISHER. The Minister of Finance said I wished to import pleuro-pneumonia into this country. The whole aim and object of my remarks are to prevent the importation of pleuro-pneumonia, and I can tell the Minister that if he does not take such precautions as I have pointed out, the time will come when pleuro-pneumonia will be introduced into this country from the eastern States, because the people who wish to import cattle from that region are not allowed facilities for quarantine, and consequently are not able to import cattle from that part of the country without danger to our own cattle, and consequently to our export trade. The Minister may try, as was done last year, to discredit me among the farmers of this country who are interested in the export trade of cattle. Sir, there is nobody in this country who is more interested than I am in the export trade of cattle, or who understands more thoroughly its value to Canada, and it is because I wish to see this preserved, that I express the fear that the negligence of our Government may expose this trade to be destroyed, from the want of facilities to prevent the introduction of diseased cattle from the New England States. When the Minister of Finance goes back to England, if he does not take proper precautions now, when a cargo is landed in England, there will be pleuro-pneumonia in it, and he will be no longer able to boast that that disease does not exist in Canada.

Mr. HESSON. Why do they not establish another port there, if there is danger of importing that kind of disease?

Mr. FISHER. The people in eastern Canada desire to import certain kind of cattle from the United States.

Unfortunately, as is the case in other importations from the United States, there is a tendency to smuggling. I see the Minister of Railways shakes his head, but he knows it only too well.

Mr. POPE. They cannot put an animal into a bandbox and bring it over.

Mr. FISHER. But they can drive them across the frontier without any obstacle, and the Minister of Customs knows that that is done. In consequence of there being no quarantine, these diseased cattle might be brought across the frontier without quarantine, but if there was a quarantine station, that temptation would be done away with, and the people would put them into quarantine, and after the animals had passed a three months' probation there, they could then be passed without danger. That is the reason why I wish a quarantine to be established. It is because I believe that the cattle interests of the Eastern Townships, in the Province of Quebec, are in danger in consequence of this negligence on the part of the Government.

Mr. CARLING. If any cattle have been brought in at St. John, N.B., it must have been done illegally.

Mr. FISHER. I have no objection to their being brought in there. I only alluded to that in consequence of what was advanced as the reason why, last year, a quarantine could not be established in the Eastern Townships.

Mr. BAKER. I want to take this opportunity of impressing upon the Minister of Agriculture the necessity of increasing the salary of the steward of the Quarantine Hospital on Vancouver Island, that poor fellow cannot live on \$400 a year. I have requested several times that it should be increased, and I want to place on record the fact that I have asked for it, and then the responsibility must rest on the shoulders of the Minister of Agriculture.

Committee rose and reported progress.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to, and House adjourned at 1:15 a.m. (Friday).

HOUSE OF COMMONS.

FRIDAY, 3rd June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 130) to incorporate the Teeswater and Inverhuron Railway Company (from the Senate).—(Mr. Cargill.)

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Sir CHARLES TUPPER. I may mention, for the information of the hon. member for South Oxford (Sir Richard Cartwright), that the explanation of the point to which he called my attention last night, as to the larger amount paid for comparison than for examination for copying papers arose from the accumulation of transcripts. It was for a larger quantity than those to which the item of copying referred. It covered a large accumulation of previous papers.

Sir RICHARD CARTWRIGHT. Do you mean that it was really an amount for several years' work?

Sir CHARLES TUPPER. It did not refer to the amount of papers which had been copied. It had no reference to those particular papers, but to a large amount which had accumulated in previous years.

Sir RICHARD CARTWRIGHT. I understood that, but our vote is not very large, \$6,000 in all, and it was chiefly intended to pay for copying and acquiring new papers. I can hardly see now how \$2,300 can be allowed for comparing documents together.

Sir CHARLES TUPPER. That is a very important part of the work. It requires two persons to compare these documents.

Sir RICHARD CARTWRIGHT. Do you mean merely to secure accuracy in the copy?

Sir CHARLES TUPPER. In order to secure accuracy. Of course the papers would be valueless unless the accuracy were secured.

Sir RICHARD CARTWRIGHT. That is quite true, but one would imagine, judging from our own experience, that you could compare in a vastly shorter time, one person reading and another making the comparison, than the time which would be required to make the copies.

Sir CHARLES TUPPER. This was a previous accumulation.

Sir RICHARD CARTWRIGHT. Extending over several years?

Sir CHARLES TUPPER. Over a considerable period. I cannot state how long.

Mr. JONES. I find that, at a late hour last night, an item was passed respecting the quarantine of cattle in the Maritime Provinces, and, with the permission of the committee, I will refer to some papers which were sent to me on the subject, and will call the attention of the Minister of Agriculture to them.

Sir CHARLES TUPPER. I think it would be better to take that up on concurrence.

Mr. JONES. It will not take two minutes. It seems that cattle disease broke out at Tatamagouche, in Colchester county, on the farm of Mr. James Clark. He notified the Government inspector, who visited the farm and pronounced that those cattle were suffering from disease. Instead of their being slaughtered at the time, they remained on the farm, and Mr. Clark contends that his farm was practically quarantined during that time, that he was put to the expense of keeping these cattle all the summer, that he had to feed them until late in the fall, and that the Government should have taken possession of them at first and should have had them slaughtered. After some time, he communicated with the Government through the inspector, Mr. Jakeman, and the Government sent down a valuation of \$284.98. Mr. Clark contends that this is not sufficient. He says:

"The cattle could have been slaughtered within ten days after your visit on July 6th, or say about the middle of July, and I claim, in addition to the value put upon my cattle by the Department, compensation for all the trouble and expense I have been put to in consequence of the delay. I will not at present state what I think I ought to receive under this claim. I will do so if the Department desires, or the amount can be estimated by disinterested and competent persons, as the Department may decide. I presume you understand by the foregoing that I am willing to take the value put upon the cattle by the Department, but I want to be paid in addition to that for the additional losses and expenses I have incurred as set out in this letter. As the expenses are increased from day to day, I trust that no time will be lost in bringing the matter to a conclusion."

The owner of the cattle seems to be under the impression that the Government should compensate him for the care and maintenance of those cattle, in consequence of not

Sir CHARLES TUPPER.

taking possession and slaughtering them when notice was brought to the question. This has been before the Government for some time, and I should be obliged if the Minister would state what decision has been arrived at in reference to the communication of Mr. Clark on that subject.

Mr. CARLING. My attention has not been brought to the subject, but, if the hon. gentleman will let me have the papers, I shall be glad to bring down the information tomorrow.

Mr. MULOCK. I would like to call the attention of the Minister of Agriculture to the fact that some correspondence has been laid before me in regard to the management of quarantine, during the outbreak of pleuro-pneumonia, last season.

Sir CHARLES TUPPER. I think it would be better to let that stand until this item goes up for concurrence. It is very irregular and inconvenient to go back.

Pensions, payable on account of Rebellion of 1885 to militiamen, mounted police, volunteers and scouts..... \$30,000

Sir RICHARD CARTWRIGHT. This is a matter which requires a little consideration from the House. None of us here are going to object in the least to the Government making liberal provision for either the parties who were injured, or for the families of persons who were killed in the rebellion, even if it be in an ascending instead of a descending scale. I wish to know on what principle these pensions have been awarded? First of all, I find here an apparent discrepancy which requires special explanations—in the pension which has been assigned to the father of an officer who was killed, and to the mother of another. The cases are these, and I called the Minister's attention to them last Session, but owing to the late period at which I did so, he was not able to give me any explanations. Lieut. Charles Swinford, of the 90th Battalion, died, and I perceive that a pension of \$730 a year has been awarded to his father. Turning over the page I perceive that Capt. Brown, of Boulton's mounted infantry, likewise perished in the rebellion, and that his mother, Mrs. Brown, was awarded a pension of \$250. Now, here is a discrepancy of a very serious character; it is the more marked because Brown was an officer of a higher rank, and I wish to know on what ground that difference was made, or whether there is any sufficient ground for it at all?

Sir ADOLPHE CARON. In answer to the hon. gentleman I may say that the rule which has been followed in awarding these pensions, was based upon an Order in Council which was passed, and which was subsequently put in the shape of a General Order and published in the *Canada Gazette*. The mode of proceeding adopted by the Department was, that all the cases should be submitted to the board, and naturally, in awarding the pensions, the position of the members of the family, if in the case of a man who was killed, was taken into consideration. Now, as it appears, and as the hon. gentleman very properly remarked, between these two cases of Swinford and Brown there is a great discrepancy; but my attention not having been called to these cases, I am not prepared to say upon what ground a higher pension was given to one than to the other.

Sir RICHARD CARTWRIGHT. Would my hon. friend pardon me. This is a case to which I called his attention specially one year ago, and if he will turn to *Hansard*, he will see that I did so, and he was then to have looked up the case and obtain the information, but we proceeded so fast afterwards that he was not able to give it to me. I am aware, of course, that it was from a mere lapse of memory.

Sir ADOLPHE CARON. Yes.

Sir RICHARD CARTWRIGHT. The committee will see that unless there is some substantial reason for the difference, a considerable injustice, apparently, has been done to Mrs. Brown, and I would suggest to him that, as he is not prepared to give the information now, he should prepare a memorandum, and lay it on the Table when we go into Committee of Supply next. Although it is informal, I suppose the Minister of Finance will have no objection.

Sir CHARLES TUPPER. No.

Sir RICHARD CARTWRIGHT. I may also state, for the Minister's information, that the two families are not in different circumstances, and that, apparently, there was as much reason for recognising the claims of Mrs. Brown as there was for recognising those of Swinford's relatives. If an unfairness has been committed it may not be too late to remedy it, and I am sure the hon. gentleman will wish to remedy it. Now, I see here a large pension of \$1,000 a year, assigned to Capt. Peters, of the 7th. I believe that is very much the largest pension on the list. It is, with the exception of the pension to Mr. Swinford, more than double any other pension on the list. Under what circumstances was the sum of \$1,000 assigned to Capt. Peters?

Sir ADOLPHE CARON. I should feel extremely sorry, in dealing with this matter in which the whole country is interested to such an extent, that any unfairness should be done to any of those who receive pensions awarded for services rendered by those who were killed. I remember now that my attention was called last year, by the hon. gentleman, to the case of Swinford and Brown, and I regret extremely that I forgot to bring down the papers and the reports, which I am under the impression I had prepared at that time, and they will be found ready in the Department; I shall place them upon the Table at the next meeting of the committee. The case of Capt. Peters is one of the most serious which has come under the notice of the commission and the board who were called upon to investigate these cases. Capt. Peters had to submit to an operation, the consequence of which was the amputation of his right arm. He had to go to New York, and for weeks and months he was put to great expense, and had to endure a good deal of suffering from the wound which finally resulted so disastrously to himself. The pension is one of the highest which has been granted. I may say to the hon. gentleman that possibly the board, in examining that case and considering the severe nature of the wound, and the suffering he had undergone, awarded him the highest possible pension that could be granted. But I think that when one comes to consider that for several months he was perfectly helpless in a hospital in the United States where he was undergoing treatment, and where he had to pay a large amount of money out of his own means, and that for months subsequently to the operation he was incapable of discharging any of the ordinary duties which he had followed up to that time, I think we will agree that, under all these circumstances, the pension is not higher than it should have been. But I will bring down the papers at the same time as I bring down those of Captains Swinford and Brown.

Mr. JONES. I desire to ask as to what conclusion has been arrived at with respect to the application made by Lieut. or Capt. Fortune, of the Halifax Battalion. It seems that he has been suffering very severely of late in consequence of an illness contracted during the service of the battalion in the North-West, and, if I am rightly informed, his case has not yet received the consideration of the Department. Perhaps the hon. gentleman will be able to let me know at an early day what course the Government have decided to follow in that case.

Sir ADOLPHE CARON. The case of Capt. Fortune has been investigated; but, subsequently, and quite lately, he

applied to the Department for a further consideration of his case. The mode adopted in regard to all these cases is to refer them to the medical commission, which reports to me. As soon as the report is received the Department will be called upon to act on it. But I will be prepared to bring down whatever papers we have in order to show the hon. member the exact position in which the case stands.

Mr. MULLOCK. How comes it that in the case of Mrs. Delaney, whose husband was murdered by the Indians at Frog Lake, she receives a pension of \$400 a year, while Mrs. Gowanlock, whose husband was killed at the same time, does not receive any pension? I understand that the reason was that Mr. Delaney was in the service of the Government. Is that the only reason?

Sir ADOLPHE CARON. The cases of Mrs. Delaney and Mrs. Gowanlock did not come under the Department of Militia and Defence. Those murdered did not belong to the force, and in consequence they are not covered by the cases which can be examined by the Department of Militia and Defence. No doubt the Minister of Indian Affairs can give the information required.

Mr. BARRON. A good deal of feeling has been created in the neighborhood where those people are known, by the circumstance that the widow of Mr. Delaney obtained a pension, and not the widow of Mr. Gowanlock. Those men were both killed at the same time, and both were doing what they could in putting down the insurrection. If the only reason is that Mr. Delaney happened to be in the service of the Government as Indian agent, I do not think it is a sufficient reason to give Mrs. Delaney a pension and refuse a pension to Mrs. Gowanlock. Inasmuch as both were murdered at the same time and while they were both doing the same service, that is, endeavoring to put down the insurrection. I think that Mrs. Gowanlock should be treated in the same way as Mrs. Delaney was treated.

Sir ADOLPHE CARON. I can obtain the information from the Indian Department for the hon. gentleman, but, as I have already explained, it is a case which did not come under the Department of Militia.

Mr. MULLOCK. We are now dealing with pensions, and this seems to be the proper time that explanations should be forthcoming.

Sir CHARLES TUPPER. I will obtain the information for the hon. gentleman directly.

Sir RICHARD CARTWRIGHT. This amount of \$10,000 is distributed under Order in Council, I suppose.

Sir ADOLPHE CARON. Yes.

Mr. INNES. With respect to the sum of \$10,000, I desire to enquire if the Government have adopted any rule with respect to pensions to families of members of the mounted police, or volunteers to the mounted police, who may have lost their lives. Perhaps the Minister will recollect that, last year, there were several applications made, with one of which I was acquainted. A young man of the name of Middleton, who lived in Prince Albert, and who, at the outbreak of the troubles, volunteered in the mounted police, was killed in the first engagement. An application for a pension was laid before the Government, and though this amount of \$10,000 was voted last year for such purpose, nothing, I believe, was done with it, because it was voted for the Militia and the Department retained it, and, in consequence, the money was not appropriated to the purpose for which it was intended. Perhaps the Minister will be able to give some information on the subject.

Sir ADOLPHE CARON. The hon. gentleman will understand that the action of the Department of Militia, in so far as pensions are concerned, is limited altogether by statute, the Department of Militia being allowed to dis-

tribute pensions among members of the force. The case mentioned, which I remember perfectly well now that my attention has been called to it, was not the case of a member of the force. If my memory serves me, he was a member of the mounted police force, and the Department of Militia could not deal with his case; but the amount which appears as \$10,000 for the mounted police, no doubt, would cover that case and similar cases.

Salaries, Military Branch and District Staff..... \$17,500

Sir RICHARD CARTWRIGHT. I should be glad if the Minister would inform the committee as to what is to be the policy of the Government with reference to the several adjutants general whose terms of office expired, I think, on 1st April.

Sir ADOLPHE CARON. The policy of the Department, so far, has been to limit as far as possible the expenses of the staff. Hon. gentlemen will understand that for the working of a force such as the militia force of Canada, it is important from every standpoint that the money should go to the rank and file as much as possible, that it should be applied to improving the knowledge of our men in drill, and it is the duty of the Department to reduce the expenses of the staff to the minimum. Hon. gentlemen will recollect that, previous to the time that I took charge of the Department, several training schools for the different branches of the service had been established. We had batteries "A" and "B," and we had infantry schools, which, according to my view, have done very great service in training our men and in training a certain number of men who, at a time of emergency, can be utilised as instructors and as pivot men around whom forts can be organised. It has been found by the Department that, in consequence of having those schools and a permanent staff composed of a commandant and officers who serve under him, it was found possible to do without the deputy adjutants-general and brigade-majors. The duties which have been performed—and I must say, well performed—by these officers, devolved on the commandants of the different schools. So it is that in the military district of New Brunswick, Colonel Maunsell, who is in command of "A" School of Infantry, has also been entrusted with the care of the military district. Under this arrangement it has been found possible for the Department to save the salary, or the greater portion of the salary, of the deputy adjutants-general or the brigade-majors, and administer the military affairs of the district just as efficiently. So it was found with the military district of Toronto, the headquarters of which are the city of Toronto; it was also placed under command of Colonel Otter. And other districts where the same facilities exist, from the fact of our permanent establishments being placed there, have also been placed under the commandants of the different schools. My policy, as far as I can speak on behalf of the Department, is to minimise the expense of the staff, and, in every case where it is possible, to place the military district under the command of the permanent officer at the head of these permanent establishments, and I believe it to be an advantage to the force, an advantage to the district, as well as a saving to the country. My hon. friend knows that a regulation was passed, previous to the time I took charge of the Department, whereby it was decided that after a certain age—63, I think it was—the services of the brigade-majors and the deputy adjutants-general would be dispensed with. I believe it is a policy which should be carried out generally, though not absolutely, because some men at that age may still be in a position to perform their services as efficiently as they had done previously. That, however, is the regulation laid down in the Department, and, as far as possible, it is the intention to carry out that policy.

Sir ADOLPHE CARON.

Sir RICHARD CARTWRIGHT. I understand quite well that the policy of the Government, as a general thing, has been to fix an age limit of 63, but I notice the hon. gentleman proposes no diminution of this vote, and, therefore, I suppose he does not intend to dispense with the services of any of these gentlemen, until, at any rate, they have reached the age of 63.

Sir ADOLPHE CARON. Yes, that is it.

Sir RICHARD CARTWRIGHT. They will not be dispensed with?

Sir ADOLPHE CARON. Not during the financial year 1888, at any rate.

Sir RICHARD CARTWRIGHT. I need not say that it is only reasonable and right that these gentlemen, to whom, no doubt, it would be a great inconvenience to be turned adrift, should know, as far as possible, what are the intentions of the Government. I understand, therefore, that the hon. gentleman does not propose to dismiss any during 1888?

Sir ADOLPHE CARON. No.

Mr. DENISON. In connection with the remarks made by the Minister of Militia, I would like to say a word or two, with reference to the report of the Major-General Commanding the Militia Force of Canada. In looking over his report, I find that he makes use of the following words:—

"I also again strongly recommend that all officers of the permanent corps should be senior of their respective ranks to all other militia officers. With regard to this it is only just towards officers who give up their time wholly to the military service of the Dominion. Moreover, in the case of active service in the field, the present system might be found to work very awkwardly."

Now, I strongly object to this idea. It is one borrowed slavishly from the English system. But the two systems are entirely dissimilar. In England there is the volunteer force, next the militia, and then the regular army. The English volunteers or militia are not intended to take part, and have not taken part, in England's wars for 200 or 300 years; and though it was not a standing army that laid the foundation of English greatness in the battles of Cressy, Poitiers and Agincourt, still the regular army are now serving in every quarter of the globe. Great Britain has many small wars where the regular officer gains an experience that is not open to the English volunteer or militiaman, as in Zululand, Afghanistan, India, Egypt, Ashantee. This may justify such regulations as these in England; but in Canada it is entirely different. Here the militia of Canada is the first line. The moment any trouble arises in Canada, the militia are at once called out, and serve alongside the permanent corps. Our militia was out in 1775, in 1812, 1837, 1866, 1870, and in the North-West affair of 1885. On entering that campaign the permanent officers had no more experience than the militia officers—many not as much. Then, why should one be given a preference over another? Surely not because the permanent officer had paraded every day round the barrack square, had each day inspected the kitchens and the cells. That does not make a better soldier, and that is the only class of experience in which the permanent corps would have the advantage over the regular militia. As Sir Henry M. Lawrence, K.C.B., Commander-in-chief in Oude in 1856, says:

"It is not elementary knowledge, such as barrack life or regimental parades can give, that is most essential to a commander. It is good sense, energy, thoughtfulness and familiarity with independent action. It is not by three times a day seeing soldiers eat their rations, or by marching round barrack squares, that officers learn to be soldiers."

The militia officers are generally among the foremost men in their county. They make great sacrifices; they raise the men, expend their own means, give their time, and they cost the country practically nothing, while permanent

officers make their living out of the country, are well paid and provided for. The country is under great obligations to the militia officers, but under none to the permanent ones. If any favor is to be granted to either class the militiaman should get it, and certainly nothing should be done in the direction pointed out by the Major-General. Then, again, the report says:

"Before leaving the subject of the schools, I would beg to point out that the time is drawing near, if it has not already arrived, when the Dominion Government must reconsider their organisation and status. All the colonies are beginning to find out that without some standing or regular force it is impossible to organise a system of defence, and all are establishing some such force. The schools of instruction in this country now represent its regular force, and I venture to think that it is beginning to be time for the country to consider if it would not be advantageous to increase that force with a corresponding decrease in the militia force (which latter I shall refer to later on), and recognise it as their regular force. As regards the rank and file, their position is clear enough, as they are enlisted for three years, and can be taken on if necessary; but the officers hold their appointments at pleasure only, have the same commissions as the other militia officers, no hope of pension however long and meritorious their service may be, and have very little chance of promotion. Hitherto there has been no difficulty, as the result has proved, in obtaining excellent men for these appointments, but as time goes on, and officers find that after severing themselves completely from their professions or appointments in civil life, they are retired and relegated to private life without any pension, I venture to think that the supply of really good men will cease. Of course, I am aware that any such change as sketched above would necessarily require consideration, and be the work of time, and in the meanwhile I would again recommend an immediate increase."

I differ entirely from this view, and hold that the exactly opposite course should be taken. The schools should be kept down to the lowest limit, only sufficient being maintained to instruct the officers and non-commissioned officers desiring a course; and as large a force of militia should be kept up as possible. What earthly use would a permanent force of 1,000 men, or even 3,000, in a war, for instance, with our neighbors? None whatever; but if we had a militia force of 100,000 men, organised with good officers, clothing, arms, &c., there would be the skeleton, that could be at once increased to 300,000, most of whom would be men who had served in the ranks, by merely increasing the service roll per company from 42 to 125. In Europe the idea is to have the people all trained to serve their country; all are taught that they owe a duty to the State. France and Germany are armed nations, and, in my humble judgment, that is the proper system. The nearer we can approach that, without being burdensome on the people, the better. I contend that our militia force should be at once increased to 50,000 men. They should be drilled for 16 days at the least. The idea ought to be scouted of going backwards by reducing our strength. On the other hand we should encourage and foster, in every way possible, a military spirit among our people. It is not in the interest of a young country to have a large standing army, a class of idlers not producing anything—drones in the hive. After a man has enlisted he may acquire some fresh knowledge for three months or, say, a year; but after that he goes through his work daily in a mechanical way, and after 20 years' service may know no more drill than a recruit of some weeks, or be any more useful. As Major-General Middleton properly says, the force should be drilled for 16 days every year; but he recommends that the force should be reduced to carry that out. On page 25, he says:

"As I have said before, for the force to be at all efficient every soldier should be called out at least for 16 days every year of his service. By this means a stream of fairly trained men would be poured out over the country, who could, in cases of emergency, be re-enrolled and take, with very little difficulty, their places in the ranks. Now, the only means of doing this would be by a reduction of the number, a reduction which could, I am sure, be made without difficulty, if it can be done legally. Moreover, it will certainly be necessary to form regiments in the North-West, an additional reason why a reduction should take place, unless more money is granted for the Department. It may be that the Dominion is bound by treaty with the Imperial Government to keep up a certain militia force, but I venture to think there would be little difficulty in arranging for a reduction of the actual number if it could be shown that it would be more advantageous to have a larger force regularly enlisted and less militia."

Now, I contend that we do not have enough money spent upon the militia. It was understood that \$1,000,000 at least should be expended upon the militia every year; but that amount was reduced under the Mackenzie Government in 1875-76 to \$978,530; in 1876-77, it was still further reduced to \$550,451; in 1877-78, \$618,136 was devoted to the militia; in 1878-79, \$777,698; in 1879-80, \$690,018; in 1880-81, \$667,000; in 1881-82 \$772,811; in 1882-83, \$734,354; in 1883-84, \$989,498; and in 1884-85, it jumped up to \$2,707,757, on account of the North-West rebellion. These figures show that each Government, when they want to reduce expenditure, commence with the militia estimates. That is not right. The present system of drilling the rural corps every other year, was a make-shift originated by the Mackenzie Government, and continued by the present Government; and though a much better plan than reducing the militia, still it would not take a large sum to drill them every year, and they ought to be treated in the same manner as the city corps. They require the drill every year more, being scattered, and not as easily brought together as a city corps. An increase of 25 per cent. spent in drill pay would enable the Government to drill double the force. In conclusion, I would strongly urge upon the Government not to commit an injustice upon the officers of the militia by reducing their rank in favor of the permanent officers, or to follow the Major-General's suggestion of reducing the militia for the sake of raising a standing army. There is no item in the Estimates less objected to by the public, than that for the militia. There is no outlay so evenly distributed throughout the country.

Mr. O'BRIEN. I would like to call the attention of the Government to the very unfortunate position in which the militia staff are placed under existing regulations. I quite agree with my hon. friend from Toronto (Mr. Denison) in his criticism on the evident intention of certain authorities to place the permanent corps in a different position from that of the militia, and I quite agree with him in the sentiments he has expressed on the subject. I, for one, will always protest strongly against anything being done which would make the permanent corps anything more than Parliament intended them to be when they were formed, that is, simple schools of instruction. With regard to the militia staff, I think the five years limit is not judicious in the circumstances of this country. If you appoint a man to the position of deputy adjutant-general or brigade-major in one of the large districts, it will take him most of the five years to get acquainted with the officers, so that it will be only towards the close of his term that he will be in a position to efficiently perform his duties. In England the case is different, because when a man is through with his staff appointment, he goes back to his regiment; he can give up the appointment at any time, and he loses nothing by it. The positions on the militia staff not being permanent, those who hold them have nothing to fall back upon once they leave the service, and I think some regulation ought to be made by which the staff, whether that which now exists in the various districts, or that which is being formed in the permanent corps, should be placed at least in no worse position than that of the ordinary Civil Service of the country. They are now in a comparatively worse position, their salaries are lower for the duties they perform than other branches of the Civil Service, and they have nothing to fall back upon. I drew the attention of the Minister to two or three cases of hardship in the 2nd military district. One was the case of a brigade major, who was retired, a gentleman who had served faithfully and honorably his country in various positions, who gave his life for the service of his country, and who is now in a state, I do not like to say of actual pauperism, but something like it. The gratuity he receives is a trifle in comparison with the position he occupied and with the service he rendered. The

hon. member for Halifax (Mr. Jones) may know to whom I refer. This gentleman is now thrown adrift, though in the full possession of all his faculties and as well able to do his duty as ever. His case is a monument of the sort of treatment the staff may expect at the hands of the Government. This ought not to be. If the country can afford to have a military service, it can afford to treat those employed in it in the same way as those employed in any other branch.

Sir ADOLPHE CARON. I am sure the members of the House must feel very much interested in the remarks which fell from my hon. friend, the member for Toronto West (Mr. Denison), who, we all know, is one of the distinguished members of the militia force of Canada, and who distinguished himself, not only in Canada, but in the Soudan. I wish it to be thoroughly understood that, in so far as my views are concerned, I fully agree with the hon. gentleman that a standing army would be altogether out of place in a country like Canada. The permanent corps which are established, the hon. gentleman very well stated, are merely for instructional purposes, and we found the benefit of having such corps from the fact that every year we turn out a number of trained men, who, at a given moment, may render valuable services to the country. I beg to differ with the hon. gentleman in the interpretation placed by him upon the report of the general officer commanding the forces. I do not read the report as the hon. gentleman does. I take it that, in comparing our system with the system of other colonies and other countries, the general desired to draw the attention of Canada to the fact that other countries have found it necessary to establish, as we have in Canada, some permanent corps as a nucleus which would be looked upon, call them by whatever name you may, as permanent corps or the beginning of an army; but the major-general, as I understand, does not desire to replace our militia system by a different one. He does not wish to replace the militia force by a permanent or standing army, and I am sure such views would not be entertained by the Parliament of Canada. In so far as I am concerned, I would be the last man to advocate a change of system. My hon. friend for Muskoka (Mr. O'Brien) has drawn attention to the staff. Well, the money voted for militia purposes, although apparently a large amount, is certainly just as small an amount as can be possibly voted for the purpose of keeping up the number of men we have in the force, and I have endeavored to reduce the expenses of the staff so as to give the money voted by Parliament to the rank and file, and to utilise it for the purpose of giving as much instruction as possible to the soldiers. Members of the staff have to be retired after a certain time, under regulations which were passed before I took control of the Department; and in many cases, and in the one just stated, the highest possible gratuity is given to the gentleman who retired. The amount may be considered insufficient, but with the amount placed by Parliament at the disposal of the Militia Department, it was impossible to deal more liberally with the gentleman referred to.

Mr. JONES. I quite realise the difficulty the hon. the Minister of Militia has in dealing with the subject referred to by the hon. member for Muskoka (Mr. O'Brien); but at the same time, it does appear to me to be a very hard case, indeed, that a gentleman occupying the position which this gentleman occupied in the Imperial service, a gentleman who served during the Crimean War and took a position in the militia at Halifax before Confederation, under the impression that it was a permanent position, and who otherwise would not have left his regiment at the time he did, should have been treated in this way. I do not mean to say there was a promise, but the understanding which prevailed in Nova Scotia at that time—and the hon. the Minister of Finance will bear me out in this—was that such positions would be considered permanent. I venture to think, there-

Mr. O'BRIEN.

fore, that the position of this gentleman is different from that of those who have joined the service since Confederation and I would ask the Minister of Militia whether, in view of this understanding, he should not consider this retired officer in the light of other public servants who, at a certain age, received pensions for their services in the Province of Nova Scotia, previous to the Union. I agree in what fell from the hon. member for Toronto (Mr. Denison) with regard to the militia, and I am glad to hear the Minister of Militia give such an emphatic expression of opinion in regard to the determination of the Government not to increase the permanent force of the country. I have always thought that we should spend as much money as we can afford in educating such a number of sergeants of the ordinary militia as would be available if the militia were ever called out. However, that matter perhaps should not be discussed here to day; but there is one item in the major-general's report to which the Minister of Militia did not refer, and to which the hon. member for Toronto referred. That hon. gentleman said that possibly the Dominion is bound by treaty with the Imperial Government to keep up a certain military force. I am not aware of any treaty existing with regard to our obligations to keep up a military force, though it is quite true that when the ordnance and forts were handed over to us, there was the implied understanding that we would keep them in good order, which we have always done. Perhaps the hon. the Minister of Militia will give us his opinion, and, in the meantime, I would ask him to again consider the case referred to by the hon. member for Muskoka.

Mr. DENISON. I do not think I used the word "treaty." I think I used the word "understanding."

Sir RICHARD CARTWRIGHT. Perhaps the right hon. the First Minister will state to the House what the understanding is on that subject.

Sir JOHN A. MACDONALD. Yes; I am going to do so. My hon. friend behind me is quite correct in stating that there was an understanding, though there was no treaty, but, at the time of the negotiations before Confederation, in regard to the contribution that Canada would make to the general defence, it was understood by Her Majesty's Government, Lord Palmerston being then the Premier, and the delegation to England being Sir George Cartier, Sir Alexander Galt, Mr. George Brown, and myself. An arrangement was made, and the result appears in the blue-book, that we would keep up the fortifications required in good order. At that time Confederation was looming in the near distance.

Mr. JONES. Unfortunately.

Sir JOHN A. MACDONALD. But it was understood at the same time that an amount of at least \$1,000,000 a year should be expended by Canada in maintaining our defensive force, and that was considered to be merely a temporary arrangement until Confederation took place. But that has been always adhered to, and we have taken at least a million a year to keep up the militia force in Canada.

Sir RICHARD CARTWRIGHT. I think the conclusion is right, but, to make his point good, the First Minister must take the view which I took, and which I think is a just one, that we are entitled to add the charge for mounted police in the North-West to the charge for the militia, and if that is done we have fulfilled our agreement.

Sir JOHN A. MACDONALD. We have really done that.

Sir RICHARD CARTWRIGHT. I have always maintained that, in computing the amount spent for militia, we should add the cost of the mounted police in the North-West; and, if that be done, our obligation, as the hon. gentleman puts it, would be very fully met, but not otherwise.

Sir JOHN A. MACDONALD. It has been fully met without that, not perhaps within a pound or two, but substantially we have really expended a considerable amount of money, year after year, in keeping up the military force. Whether that has been wisely or unwisely expended, it is for military men to say—I am not a judge of that. The hon. gentleman behind the member for South Oxford, when he was Minister of Militia, discharged the duties most satisfactorily. I think we had occasion to say across the floor that we could not find much cause of criticism in the way in which he managed that Department. As far as the mounted police are concerned, they are really a military force.

Sir RICHARD CARTWRIGHT. I think so.

Sir JOHN A. MACDONALD. That force is composed of a thousand men and is one of the finest corps in the world, and will challenge comparison with any force of cavalry in the world. They can be sent anywhere in case of war or disturbance or apprehension. They can be sent anywhere, but the primary object of establishing that force was not to make it a portion of the militia, but to make it a mounted constabulary, to keep peace and introduce law and order among the Indians in that portion of the Dominion. They performed the duty of a constabulary in time of peace, and in time of war they are an efficient military corps. I, therefore, agree that they may be considered in spirit a substantial addition to our military force, and in reckoning with the Mother Country as to our contribution to the military defence of Canada, we can fairly and honestly credit ourselves with the expenditure for the mounted police as a portion of our contribution to the military defence of the Empire.

Mr. JONES. Nevertheless, from what the hon. gentleman has said, I think the understanding which he says was arrived at was with the Old Province of Canada and not with the Dominion.

Sir JOHN A. MACDONALD. No, it was in 1865.

Mr. JONES. But it says in the report that the Dominion is bound by that arrangement. Of course, I understood what the hon. gentleman has explained, but there was no understanding with the Dominion, as far as I know.

Sir ADOLPHE CARON. I was very much interested in reading the report of the major-general. It is full of information, but, of course, I would not undertake to assume the responsibility of every expression which is used in that report. The understanding has been explained by the leader of the Government, and no hon. member can better give the explanation than he has done. He knows all the circumstances connected with it, and was in England with other members of the Government at that time when the understanding was arrived at. The hon. gentleman has called my attention to the case of one of the members of the staff. I believe he refers to the case of Lieut.-Col. Milson. That gentleman was a distinguished officer who left the British service to accept service in the Canadian militia, and, in dealing with his case, attention was paid to the fact of his long service and also to the fact that when he entered the Canadian service he might not have been under the impression that it was not to be a permanency. He was, therefore, kept on four or five years beyond the limit of time which he could expect to be kept on, and the largest possible gratuity was granted to him on retirement. As I have already explained to the House, it is impossible, with the money which is placed at the disposal of the Department, and the policy which has been adopted, to make any distinction between the different members of the staff who are retired. The case of this gentleman was considered from that standpoint, and every possible allowance was made for him.

Mr. MADILL. I hope the policy of the Government will be more liberal and generous than it has been in the past. I hope that more attention will be paid to rural battalions. I think the rural battalions have not received the consideration to which they are entitled, and I think that, if the amount could be increased so as to allow the rural battalions to have an annual drill, it would render them more efficient than they can possibly become when they are only called out once every two years.

Ammunition, clothing and military stores..... \$205,000

Mr. LISTER. In reference to the item of \$90,000 for clothing and great coats, I would ask the Minister whether the tunics and trousers are contracted for by the same contractor?

Sir ADOLPHE CARON. The clothing is all given out by contract. Tenders are called for, and invariably the lowest tenderer has received the contract. In some instances the tunics and trousers have been made by one contractor, but, as a rule, the contractors have contracted for tunics independently of trousers and great coats.

Mr. LISTER. Independently? Well, I do not rise for the purpose of making any charges, but simply to call the Minister's attention to a matter which has been represented to me, and which I promised to bring up. During the last year great complaints were made by the men as to the quality of the clothing of the trousers, and as to the manner in which they were made. The clothing is said to have been very bad, and it was worn out in a few days. Having called the Minister's attention to this, I hope there will be no reason for complaint in the future.

Sir ADOLPHE CARON. I am very glad my attention has been called to it, but I must tell the hon. gentleman that we have received no complaint whatever in the Department from any portion of the Dominion in reference to the quality of the cloth, or to the making up.

Mr. LISTER. The complaint was made by members of the Sarnia company, who say that the cloth was simply execrable.

Sir ADOLPHE CARON. I would remind the hon. gentleman that in consequence of the troubles in the North-West, we had to order at a moment's notice an extraordinary number, compared with what we generally order, of tunics and trousers, and suits, in fact, for the force. They had to be made up in a great hurry, and when the troubles were over, naturally they were served out to the force, and in a good many instances it is possible that they may not have been just as perfect as the Department would have liked.

Sir RICHARD CARTWRIGHT. I happened to look at the report of Lieut.-Col. Aylmer—is that the one my hon. friend refers to?—and I find this under the item of clothing: "The trousers issued to certain privates' in this district this year did not last out the twelve days training, they were made from such an inferior material." This is Appendix No. 2, Militia Office, London, signed by Lieut.-Col. Aylmer.

Mr. LISTER. Lieut.-Col. Aylmer had nothing to do with it, I received no information whatever from him; but it was the men under his command last year who complained of it.

Sir RICHARD CARTWRIGHT. I would call the Minister's attention to the fact that the deputy adjutant-general of Militia District No. 1, makes this a special subject of complaint. Whatever may be said there is no economy in serving out such an article. How many suits does the hon. gentleman propose to issue out of this vote?

Sir ADOLPHE CARON. We have 5,500 uniforms at an average cost of \$5 each, and 600 great coats at an average cost of \$5.83.

Mr. JONES. I may mention that during the time I had the honor of administering the Department—which I am pleased to hear gave satisfaction to my hon. friends opposite—the custom of the Department was, if I remember rightly, to order the militia clothing from England. So far as my memory serves me, we found difficulty in getting sufficient clothing of a uniform color, both the scarlet and the blue. In the first place, there was always a different shade perceptible in the different suits, and when they came to be placed together it was found that the English clothing would last much longer than a suit of Canadian clothing made from Canadian manufacture. At that time there was a marked difference, and the English clothing was superior in style and in lasting qualities as well. All these advantages prevailed at that time, and if they still prevail, it appears to me that it would be in the interest of the Department to order their clothing from England, where you have such a large field to choose from, and where so much clothing is made for the army, and which must necessarily, under all these circumstances, have a great advantage over what our small manufacturers could produce in this country, even if they are doing their very best to carry out the contract. They suffer under the disadvantage of not being able to get material, and they only manufacture a certain number, whereas, in England, they are manufacturing very large quantities and can produce it very much cheaper. I venture still to hold to the opinion that it would be very much in the public interest if the clothing was ordered from England, instead of being manufactured in this country.

Sir ADOLPHE CARON. From my experience in the Department, I cannot agree with the hon. gentleman. The clothing which is manufactured in Canada is considered superior by all those who have had some experience in the Department. The adjutant-general, the inspector of clothing, and all the other officers who have charge of that branch of the Department, consider it far superior, in so far as lasting qualities are concerned, to any of the clothing which we imported from England. At first, it is true, there was some difficulty in getting the colors just as perfect as we have succeeded in getting them since; but at present I believe there is a consensus of opinion that even the scarlet color cannot be surpassed, and my hon. friend knows how difficult it was to get, outside of England, the scarlet cloth which was required for the scarlet uniforms. But since that time we have succeeded in getting in Canada cloth fully equal, and even superior in quality, to anything imported from England, and the color is considered very good indeed. Under these circumstances it became important that the large amount of money which was expended every year by Canada, should be expended in Canada if it was possible to do so; and I have endeavored, as far as possible, to have all the clothing made in Canada. In so far as quality is concerned, it lasts longer than anything we have been able to import from England.

Mr. JONES. These same remarks would apply, I suppose, to the ammunition manufactured at Quebec. I was spoken to upon the subject by several gentlemen connected with the militia service in my own Province, who informed me that the ammunition manufactured at Quebec is very inferior to the ammunition formerly obtained from the Imperial Government, that for target practice it was practically useless, and they could not depend upon it as being regular or effective. They said, naturally, that under these circumstances it was unfortunate that the Government should attempt to manufacture here, possibly at a greater expense, an article which they could procure from the Imperial Government of a much more uniform and superior quality. I am only giving the opinions I have heard expressed. Of course, the Minister knows best about this matter. It appears to me that the same objection would apply to

Sir ADOLPHE CARON.

making a small quantity of ammunition as would apply to the clothing.

Sir ADOLPHE CARON. I am free to admit that at first we had some difficulty to contend against, as usually occurs in establishing a factory like the ammunition factory at Quebec. Reports have been made at different times, and in reading the reports from the Department of Militia, the hon. gentleman will find that we went to a great deal of trouble in getting commissions composed of the men best known among those who take an interest in rifle practice, to study the whole question and to report to the Department. For some time past, about eighteen months, the reports are quite satisfactory.

Mr. JONES. What about the cost?

Sir ADOLPHE CARON. I will come to that point in a moment. I will point out another difficulty. Most of our volunteers are armed with the Enfield rifle, and, owing to the adoption of the Martini-Henry in England, the Imperial factories have discontinued manufacturing cartridges for the Enfield; consequently it became a necessity for Canada either to give up the present arm or have a factory of our own. We provide by this vote for the manufacture of two millions of rounds of ball cartridge, at the rate of \$20 per M. for ball cartridge and \$10 per M. for blank cartridge. That is to be served out on the repayment system, the money being returned to the Department in the shape of a refund by the different rifle associations which receive our ammunition.

Mr. JONES. I observe that the major-general recommends that more ammunition should be served out for target practice.

Sir ADOLPHE CARON. Yes, he does so.

Mr. JONES. Do you intend to increase the allowance?

Sir ADOLPHE CARON. Not this year.

Mr. CASEY. There was a pretty good discussion last year on the question of ammunition. Defects arose from three causes: first, lack of accuracy in the machine which measures the powder; second, lack of accuracy in the shape of the bullet; third, lack of uniformity in the quality of the powder. The powder at that time was obtained from the Hamilton Powder Company without sample or specification. It was afterwards found to be unsatisfactory, and a certain quantity of Waltham Abbey powder was imported. That was found to work much more satisfactorily. I think the Minister undertook last year to have the powder ordered by sample or specification. I desire to enquire whether the Department are using Waltham Abbey powder or Hamilton powder; and if the latter, whether it is purchased by specification or sample, or what are the means taken to secure uniformity. At the same time I may say that I have not heard so many complaints lately as regards the ammunition as we did last year and the year of the unfortunate troubles in the North-West, when the quality of the ammunition was of more consequence.

Sir ADOLPHE CARON. The trouble, as has been pointed out by the hon. gentleman, arose more from the powder, than from anything else. We followed up the suggestions made last Session and endeavored to have the powder manufactured in Canada upon specification. But it was again found unsatisfactory, and we had to go back to English powder. We are now manufacturing ammunition with English powder, and our ammunition is being found to be fully equal if not superior to anything we imported from England, thus showing distinctly that the difficulty was with the powder in making up the cartridges.

Mr. CASEY. I suppose these defects to which I have referred have been corrected?

Sir ADOLPHE CARON. They have all been rectified.

Mr. CASEY. I am glad to hear that, and I would urge on the Minister the desirability of carrying out the suggestion of the major-general with respect to increasing the quantity of ammunition for practice purposes. It was proved very conclusively during the North-West disturbances that the best training we could give our volunteers was to train them to shoot accurately. Nearly all modern warfare depends upon the troops being able to shoot accurately. A great many of our country volunteers cannot afford to buy ammunition for practice, and unless there is a very considerable amount issued for practice they will not get practical training in rifle shooting. I witnessed great waste of ammunition by small squads and also at brigade camp. In my opinion members on this side of the House would have no objection to a larger vote being given for ammunition for target practice.

Drill Instruction \$290,000.

Mr. CASEY. With respect to the item of \$40,000 I suppose that is the old item for drill instruction which goes to the companies. It is really not a payment for drill instruction, because it is given to commanders of companies whether there has been any drill instruction or not during the year, and it is practically an amount to enable captains to maintain their contributions to the band and other funds, except in cases where the captain chooses to put it in his own pocket. The Minister, in past years, admitted that this was an indefensible item as it stood, and, if it was to be continued, it should be placed under its proper heading as an allowance to commanders of companies for the purposes I have indicated. I would now ask what the Minister intends to do about it.

Sir ADOLPHE CARON. I have been generally improving in this particular. I have reduced the allowance, and in any case where the corps has not gone out for annual drill only one-half the allowance has been paid, \$20 instead of \$40. The hon. gentleman is aware of the difficulties with which officers commanding rural battalions have to contend, and I must admit that the item might properly be placed under a different heading, but I am not prepared to admit that it would be good policy to strike it out of the Estimates and refuse to give that contribution to officers who at much trouble and expense to themselves, and more especially in the case of rural corps, have succeeded in maintaining their battalion. That is the reason I am in favor of its retention, but I fully admit that the heading might be different. The Department have considered it very seriously on more than one occasion, and I have concluded it would have a very bad effect if we were to deprive the commandants of the rural battalions of that help which the Government affords them.

Mr. CASEY. If the Minister will put it under any head which would increase the pay of the officers to this extent, so as to relieve the officers of the expense of putting it under the proper head, I would not object to it, because I know at least as well as the Minister what difficulties and expense the rural officers are called upon to undergo. I do not want to deprive them of the money, but I think nothing is gained by putting it under a misleading heading in the Estimates.

Mr. O'BRIEN. I entirely disagree with the Minister in the view he takes of this payment, and I have pointed out to him on several occasions the way in which it should be made. I think it is properly given for drill instruction, and should be given for drill instruction; but there should be certain conditions, as I have explained once or twice before, on which the payment should be made, so that the country would get value for the money. What I complain of is that the captain of a rural company, who does nothing at all from one year's end to another, who never sees his company, or takes the slightest trouble with it, is exactly in

the same position with regard to this grant as the man who drills his company whenever he gets the opportunity. Now, I say there is a practical way of overcoming the difficulty. It is hardly worth while taking up the time of the House by going into it now, but anyone can see that when a regiment goes to camp there can be no difficulty in having an inspection of each company; and only the captains of those companies that show a certain percentage of men up to a certain point of efficiency should receive the money.

Mr. CASEY. That is payment by results.

Mr. O'BRIEN. Yes, on the same principle as the capitulation grant is given to the English volunteers. There is no practical difficulty about it, and I think, taking that view of the case, a reduction should not be made during the years the men do not go to camp, for that is the very time the captain should devote himself to his company and be able to show that he does something for his money. Of course, as long as we are in the ridiculous position we are in now, of only calling the rural battalions out every second year, the matter is of little consequence, but I hope the country will insist on the Government making a change in that respect. I think it is grossly unfair that the city battalions should get pay for each year, when the rural battalions, which are every bit as efficient and turn out just as promptly, should not be treated in the same way. They cannot keep up their band funds, or their ordinary expenditure under the present system, and are laboring under the greatest possible disadvantage, so long as the Government of the country chooses to keep them in that position. Apart from that, if a system of inspection was adopted, and the captain or instructor of a company got the money according to the condition in which the company was found, then the money would be fairly and properly applied; but I do not believe in giving a man \$40 simply as a fee, when I know that he does nothing whatever to earn it. More than that, I say that the colonel of a rural battalion has no power over the payments; he may know that one-half of his men do not earn the money and the other half do earn it, and he has the mortification of seeing his most inefficient captains placed exactly in the same position as the efficient ones.

Contingencies, &c., including grants to artillery and rifle associations and bands of efficient corps \$38,000

Mr. DAVIES. On this vote I wish to ask for some information from the Minister, upon a matter affecting the rifle teams which come to Ottawa yearly to the shooting matches. By some inexplicable oversight on the part of some official, those teams have not been treated as I think they ought to be treated. In the year 1885 the team from Prince Edward Island came to the shooting match here, and received second-class fares on the Intercolonial Railway, while their comrades from the adjoining Provinces travelled first class on the same train, and, of course, had the advantage of the Pullman sleeper. The hon. gentleman knows how impossible it is for a man who has been sitting in a second-class railway car for two nights, to compete at a shooting match on the following morning, and these men had to march to the ground as soon as they arrived and take part in the match. In the year 1886, the non-commissioned officers and men of that team received a second-class single fare, while their comrades from the two adjoining Provinces travelled upon the same train on first-class return fares. Of course, I am aware that this is an oversight on the part of somebody, and I am sure that, if brought to the notice of the Minister, he will see that it does not occur again. The Minister knows that these small matters create a great deal of dissatisfaction, and the teams from the various Provinces should, I think, be all put on the same footing. I wish to ask, also, if it is not possible to have a clear, distinct understanding that the men travelling to these matches should

have passes over the Intercolonial Railway. I can't see why there should be any question about it.

Mr. POPE. I suppose you can't.

Mr. DAVIES. Perhaps the Minister can, and if he does I hope he will be able to tell why he sees any difficulty in the way. He is exceedingly wise, but he is also exceedingly curt in his answers and not very courteous. Let me tell him that, while I am making a complaint which I think is well founded, and which I am sure the Minister of Militia acknowledges is well founded, I think I might be treated with a little more courtesy by the hon. Minister of Railways. I may say that the men were treated very handsomely after their arrival, but they desired me to bring these facts before the notice of the Minister so that nothing of the kind may occur again.

Sir ADOLPHE CARON. My attention has already been drawn to this matter, but only quite lately. I must tell the hon. gentleman that the rifle association is really not under the control of my Department. It is an independent organisation, but the Government to help in what they consider to be of very great value to our militia organisation gives a certain amount of money per annum to help the rifle association to carry on their rifle practice, and also, as my hon. friend knows, contributes a handsome amount towards sending a team to England to Shoeburyness for the artillery matches, and to Wimbledon for the rifle matches. I did not consider, in the case of the men who came from Prince Edward Island, and I believe some of the other Maritime Provinces, that the Department of Militia should be called upon to contribute any transport money to those who came up to compete at our annual matches at Ottawa. This case, however, was represented to me very strongly, and last year and the year before I consented to contribute towards the transportation of the men who came up here to compete. I was sorry to hear that some of the men got second-class tickets, or were not treated in the same way as the other men who came here. That I am not responsible for, and when the matter was represented to me, I promised that so far as I could I would try to make up the deficiency these men complained of, so that all who come here should be placed on a footing of equality. Whether the system is to be continued in the future or abandoned is another thing. But I would inform the hon. gentleman that the rifle association is quite an outside organisation, the only responsibility incurred in by the Department of Militia in connection with it being to contribute a certain amount, with the sanction of Parliament, towards the expense of sending a team to England.

Mr. TUPPER. I wish to join with my hon. friend from Queen's, P.E.I., in pressing this matter upon the attention of the Government, not merely with the view of having the riflemen from Prince Edward Island placed on the same footing as those from Nova Scotia and New Brunswick, but with the view of having all the riflemen from the Maritime Provinces placed on a better footing in regard to the competition held at Ottawa every year. It is extremely annoying to the riflemen every year to be obliged to go through the form of pressing both the Department of Railways and Canals and the Department of Militia, to afford them facilities in the way of transport. I understand that the difficulty is between those two Departments. The hon. Minister of Militia states that he does not feel warranted in spending money in payment for the transport of these riflemen. Well, there is no necessity, it seems to me, for his spending any money. If the Government will take the matter up and deal with it independently of those two Departments, they could arrange that the riflemen coming every year to Ottawa shall have passes on the Government railway. I think the riflemen are fully entitled to make this

Mr. DAVIES.

request. The riflemen of Canada make considerable sacrifices. The pursuit is a luxury with some, but many of them go into it with a very proper spirit, which I think should be encouraged, and this encouragement would cost very little to the country.

Mr. WELDON (St. John). Last Session, during the discussion on the Estimates, I called the attention of the Minister of Militia to this question of providing passes over the Intercolonial Railway to the riflemen coming to Ottawa, and I understood the hon. gentleman to promise that some arrangement would be made. I do not blame him, for I think he has done all he could, but I think the men are fairly entitled to passes. They come here at great sacrifice and inconvenience to themselves.

Mr. JONES. This difficulty is just owing to a little piece of red-tapeism in the Railway Department, which I think should be put an end to. The hon. Minister of Railways is laughing; but I understand that, of late years, when these militiamen have come to Ottawa, the obtaining of passes for them has been a subject of negotiation, sometimes for a week or more, between the members for the counties and the authorities at Ottawa; and the passes are apparently granted as a matter of favor. They are no favor at all; they are a matter of right, and when they are asked for they should be given without any delay or hesitation whatever. I trust that after this discussion the Minister of Railways will have an order issued that those people who are selected to come up to the annual competition at Ottawa shall be entitled to their passes, without having to go through all the trouble and inconvenience and delay which have hitherto attended their application.

Mr. POPE. The hon. gentleman is undoubtedly mistaken if he thinks that any change will be made by the Department of Railways in this respect. The men from Manitoba and Ontario, who come here, all pay their own way. I have always been glad to make arrangements for the transport of these people to Ottawa by reducing the rates; but it is not within the province of my Department to bring them free, or to bring those from Manitoba or Ontario free, who pay their own way.

Mr. JONES. But there are no Government roads there.

Mr. POPE. I am willing to meet them as far as I can in the way of reducing the rates.

Mr. DAVIES. There was no suggestion made that the hon. gentleman should pay the passage of any of the men from distant Provinces over the Grand Trunk or other roads; but I think that the circumstances that they live so far away, and have to travel so much farther than the volunteers of Ontario, ought to be taken into consideration. But as it costs nothing at all to the Government to give passes over the Government railway, I think it would be a gracious act on the part of the Department to give passes to these young men, who are anxious to attend the central match at Ottawa, and have to travel a thousand miles to get here.

Mr. TUPPER. I might suggest to the hon. Minister as an argument to strengthen the request—which I am glad to see none of the members from the other Provinces have raised any objection to—that is the rule in Australia, where there are Government railways, to give passes to all the officers of Her Majesty's ships from time to time stationed there, which I think is some authority to justify our Government in treating our own defenders as well as the Australian Government treat their defenders from the Mother Country.

Contingencies and general services not otherwise provided for, including grants to Artillery and Rifle Associations and Bands of efficient corps \$38,000

Mr. CASEY. In regard to this I would like to have an explanation from the hon. gentleman. I hold that proof

that a certain amount of work has been done should be exacted from the local rifle associations to which grants are made, and that the grants should be in some correct proportion to the amount of work done. The information asked for should contain the number of competitors at each meeting, the amounts of subscription obtained, &c. In some places, it has been the practice to form the same persons into two or three rifle associations, and obtain a grant for each. In this city there are the Wimbledon association and the Guards rifle association, and two of other battalions, all said to be largely composed of the same individuals. Of course, it is impossible to provide that no member of one association shall belong to another, but I think a list of the members of each of the associations should be demanded by the Department, so that there would be no glaring abuse of the system. In this way the Department might save grants and apply them to other places.

Sir ADOLPHE CARON. The system followed is that those rifle associations are reported by the officer of the Department, and if they are considered to be organised according to the rules, the amount of money is granted according to the number of members. I do not believe the abuse which the hon. gentleman refers to exists to any great extent. However, his suggestion is a good one, which I will be glad to look into and see if we can improve on the present system.

Mr. CASEY. I had positive information that in this city there were three organisations a few years ago—I do not know if they are all alive now—substantially composed of the same persons, and I have reliable information that the same abuse exists in other cities in Canada.

Royal Military College at Kingston \$59,000

Sir RICHARD CARTWRIGHT. Has the hon. the Minister got the return I asked from the Minister of Justice as to certain fines or payments of \$100 each exacted from a number of the cadets who left the college to accept commissions in the Royal army, and as to what the Government did in the matter?

Sir ADOLPHE CARON. I submitted the case to which my attention was called by the hon. gentleman and by another hon. gentleman to the Department of Justice. The report which I will be glad to lay on the Table, is to the effect that the college had a perfect right to charge that amount of \$100 fine, in the case of those cadets who left for the purpose of accepting commissions in the Imperial service. As to the question of collecting the amount now from those who were trusted when the cadets left, and who were not made to pay before the enlistment of the cadets, the opinion of the Department of Justice is not so strong. It would be more satisfactory if I laid before the House the opinion given by the Department of Justice.

Sir RICHARD CARTWRIGHT. I shall also have to ask the hon. gentleman to inform us who did pay and who did not pay, because this is a matter in which, I think, for the credit of the college and the Department, all should be treated alike.

Sir ADOLPHE CARON. I will bring that down on Monday.

Sir RICHARD CARTWRIGHT. I will not delay the item, on this understanding, that, in a case like this, before we proceed to another item, a discussion may take place. I suppose the Minister of Finance has no objection to that.

Sir CHARLES TUPPER. No.

Mr. DENISON. I would like to ask the Minister of Militia whether the Government have ever considered the advisability of giving the three or four cadets who passed at the head of the list, employment in the Civil Service? That

would certainly encourage the cadets and be advantageous to the country. The first four have the right to commissions in the army. If the first two or three had the choice of taking commissions or else entering the Civil Service, it would be a move in the right direction.

Mr. JONES. I received a letter from a gentleman in Halifax, whose son was in the college, complaining that he had been called on to pay one hundred dollars fine, when his son accepted a commission in the Imperial service, and he gives the names of other prominent gentlemen who have not paid.

Sir ADOLPHE CARON. I promised to bring down the list.

Mr. JONES. While the Minister of Justice may be justified from a technical point of view in the position he took, I think the Government should treat everyone alike. If it has been found that these gentlemen who have paid in good faith could not have been compelled to pay, the money should be refunded them. With reference to this vote for the college, it is one in which I naturally take a great interest, because the military college was started, as hon. gentlemen are aware, by the Government of which I was a supporter and of which I subsequently became a member. That institution was started for the purpose of training a certain number of young gentlemen to qualify them for positions in our own country, but it was considered, during the time that I had the honor of administering the Department that there would be some advantage obtained by placing our institution on a par with the Imperial institutions, if we could obtain from the British Government a concession granting one commission in each branch of the service to young gentlemen who passed with first-class honors each year. That application was made during the time I was in the Department, and it was cheerfully and promptly responded to by the Imperial authorities. That arrangement went on for some time, and I believe no fault was found with regard to those who accepted the positions. I am pleased to say that I have heard from all sources that the cadets who passed through our college up to a certain time, ranked among the best officers in the several branches to which they were appointed; so much so, that a certain class of training which the Imperial cadets had to submit to when they joined headquarters in England was dispensed with in the case of the cadets from the Royal Military College. Up to a certain time, I think all these conditions were amply fulfilled, and the expectations of the Government which started that institution were fully realised, but I am afraid from what has reached me that the same standard has not been maintained. I have been informed that during the last two years, or at all events during the last year, a large number of commissions were granted to Kingston cadets in the Imperial service—some twenty or thirty, as far as I remember. I would like to know from the hon. gentleman whether the Government applied for these additional commissions?

Sir ADOLPHE CARON. No.

Mr. JONES. They were offered then?

Sir ADOLPHE CARON. Yes.

Mr. JONES. But I suppose under the expectation that those people who would be recommended by the College or by the Government would have passed through their full term and taken honors?

Sir ADOLPHE CARON. No.

Mr. JONES. So much the worse for the college, and so much the stronger for my argument, because I contend that it is not in the interest of Canada, it is not to the credit of our country to send out young men from the

college nominally as Kingston cadets who have not completed their regular course, except under very, very exceptional circumstances. There might be circumstances under which young men had been so exceptionally attentive to their duties, and had taken such high degrees, that the authorities might be justified in making a change in their favor, but I have been informed in one case a cadet was appointed to the Imperial service who had been only one year in the college, and who at the time of his appointment was residing in England, that he had left the college and was not in Canada when the appointment was made. I was also informed that several cadets were appointed who had been in the college only two years, and had never passed through those examinations which would entitle them to take the rank which a cadet of the college should be expected to take if associated with the Imperial cadets in the same branch of the service. This is really, in my judgment, a great departure from the original design and intention of the college, which was in the first place to give a thorough military and technical education to those cadets who were attending there; and, if it comes to be known that young men are sent out from the college after one or two years' training, I say most emphatically that, in my judgment, it will lower the standard of the college with the Imperial authorities, and very likely may lead to the withdrawal of the concession of granting one commission each year, which was intended only to apply to those candidates who took the highest honors. It is a point which I urge most strongly upon the hon. the Minister of Militia, because I hold that the future of that college and the confidence it must enjoy in the public estimation in this country and in the old country, where our cadets are brought into comparison with the Imperial cadets, is all involved in this one question: whether we are going to send out cadets who are thoroughly unfit, or, after one or two years, with a mere smattering of knowledge, which could be of no practical advantage or value to them? Now, with regard to the point raised by the hon. member for Toronto, I quite concur with that view. It was my intention, if I had remained in the Department, and it was the view of the Government, that those young gentlemen who had passed through their term in the college should in some way be associated with the Civil Service of the country, to keep those men in the country if we could. My hon. friend in front of me (Mr. Mackenzie) says we promised that, and it was considered at that time that there would be no advantage to Canada in proportion to the expenditure we are called upon to make annually, if we sent out fifteen or twenty cadets from that college who immediately went into the United States or even took commissions in the Imperial service. It was the intention that those cadets should, if possible, be employed in the Dominion, and it was the intention, as announced by the Government, to give those cadets when they passed the college each year, the preference of all appointments in the Civil Service of the Dominion. Hon. gentlemen know that there are certain branches of the Dominion service that might probably absorb some ten or fifteen of these cadets annually. The Public Works Department, one would imagine, and I have no doubt, could find employment for many of these cadets who have a training which would peculiarly adapt them for service on our railways and canals; and I venture to hope that the present Administration will adopt the suggestion of the hon. member from Toronto, if not that from myself, and will endeavor to place before the cadets who enter that college some inducement to enter it, and to remain in the country when they leave it, when their education is completed. If such is not done, I look upon it that the largest proportion of the annual amount we grant will be wasted or thrown away. We can have under these circumstances a trained Civil Service, of course at the expense of the country, who will be on hand at all times

Mr. Jones,

when they are required to fill any position in the military branch of our public service, and those different branches combined should, in my mind, afford ample scope for the employment of all the cadets who come out of the college every year. In that way I believe we shall best realise the expectation of the Government which established the college, and best give value for the expenditure we are annually called upon to make for the maintenance of this college.

Sir ADOLPHE CARON. It affords me very great pleasure indeed to be able to congratulate the hon. gentleman upon the very important part he has taken in establishing the Royal Military College. It is an institution which, I believe, has greatly contributed to make Canada advantageously known abroad. When we consider that those who have left our college and who have taken service in the Imperial army, have almost without exception proved themselves to be fully equal to the cadets of any of the great military colleges of England, it seems to me that such an institution can only redound to the credit and advantage of our country. Now, Sir, I fully agree with what the hon. gentleman has stated in reference to the standard which we ought to maintain in the Royal Military College, and I believe it is the duty of every Minister of Militia to see that that standard is not reduced, so that the men whom we send forth from that institution may always occupy the same prominent position which they have occupied up to the present time. In reference to the twenty or thirty commissions which were granted last year, I look upon them as altogether outside the ordinary commissions which are granted for merit, if I may so express myself, by the Imperial Government. In the case of the four commissions placed by the Imperial Government at the disposal of the Canadian Government, the privilege is given to those who carry the highest number of points, to choose the branch of the service in which they wish to be employed. In the case of the commissions given last year, the parties entered the Imperial service from the fact that a good many of the English officers were employed abroad, some in the Soudan, others in India and other parts of the world, and the Imperial Government thought fit to call upon the Canadian Government to give some of their cadets to go into the service abroad. There was no misrepresentation in any case, the conditions and the position of the cadets were represented, and those men were taken outside of the four commissions which, as I have already stated, we consider were granted for merit, and were given because it was considered that the Imperial service required officers of that class. I cannot be positive as to the period of time which had been passed by these cadets in the Royal Military College, but no complaint as to their efficiency has ever been made to my Department since these cadets accepted service in the Imperial army. Now, another reference was made by my hon. friend from West Toronto (Mr. Denison) as to the employment which the Canadian Government should give to the cadets in the Civil Service. Well, Sir, I must say that if that was the policy of the hon. gentleman opposite when he was at the head of the Department over which I now preside, it has been pretty well followed by ourselves. I took the first opportunity I had to create a new branch in the Department of Militia, and I selected one of the cadets of the Royal Military College to take charge of it. In several of our prominent corps I have given commissions to the cadets belonging to that institution. In the mounted police force there are several cadets belonging to that institution; and we have also some of the men of our college in the large railway companies and in the great industrial establishments of Canada. I think that no complaint can be made against this policy. Of course, if it were carried to an extreme point, if we were to give exceptional advantages to the cadets of the Royal Military College beyond those which we have now conceded

to them, it might create dissatisfaction. Other young men might complain that we were giving everything to the Royal Military College; that we were really creating a privileged class over other young men who have to compete with our cadets, and who do not possess the same training and instruction which are possessed by our cadets. I fully recognise the qualifications of a cadet, and I think that the cadets are not neglected; but in the interests of the institution, and in the interest of the cadets themselves, it would be a wrong policy to make further concessions beyond those which have already been made to them.

Mr. AMYOT. I am not ready yet to condemn the Royal Military College, but I must say that I have never been able to see of what use it is to the country. It seems to me it would have been better to pay the expenses of these young men to England, and send them to college there, where they could get the same education, and we should have saved money by the transaction. At all events, I do not see why, if we are to go on with a royal military college, we should not also have a school of navigation in some of our cities. When there is a demand for a military college, in the interests of the rich families, there is plenty of money; but when the Government is asked, in the interests of the poor people, in the interests of the navigators, who are a class of people much more useful to the country than the military men, we find that a few thousand dollars is much too large a sum. Oh, no, we will spend \$50,000 for, or \$60,000 for a royal military college. The Royal Military College! it sounds well, but a poor school of navigation to train men who are to take charge of our ships in the St. Lawrence—oh, no, we have no money for that purpose. It seems to me that the Government should do something for the school of navigation in Quebec, which has been kept alive up to the present day by the sacrifices of the Local Government, although marine matters belong rather to the Federal Government than to the Local Government. I repeat that so far as the Royal Military College is concerned, I have not yet found one place in the country where one of these students or cadets has proved useful to this country. They are useful for the English army, they are useful for the States, they are useful for the large railway companies abroad, but they are not useful for this country. It is money spent altogether uselessly, except, of course, for those young men who go there to get educated. Although I shall not object to this item of the Estimates, I hope that the Government will, this year, think of establishing a school of navigation. It has been asked for by the district of the Minister of Militia, and, perhaps, that is the reason why we do not receive it.

Mr. LABELLE. I may say that I have myself asked the Minister of Marine about that marine school, and although I do not agree with my hon. friend from Bellechasse (Mr. Amyot) on the military question, I quite concur with him in reference to a school of navigation. I think that the Government ought to do something for the marine school, and I hope that before this Session closes they will propose an appropriation for that purpose. I also think it would be an excellent idea for the Government to establish another institution of that kind in the town of Sorel.

Sir RICHARD CARTWRIGHT. I do not think the Minister of Militia quite apprehended the force of the remarks of the hon. member for Halifax (Mr. Jones). What the hon. Minister is asked to do is not to give every one who graduates at the Royal Military College a position in the Government, but simply to do this: to offer some four or five positions under the Government as a reward to those who show themselves the best qualified to fill them. The commissions which are given by the British Government are in the nature of prizes. The man who is first on the list has his choice, and so on in due rotation and it has

had a very good effect in maintaining a wholesome spirit of emulation among the cadets. If the Government can see their way to offer an equal number, or perhaps a few more prizes in the shape of positions in the service, it would enable the service to obtain the very best men. The hon. Minister, I believe, is correct when he says that he has distributed some positions and given some places in his Department to graduates of the college; but they were not, I think, distributed with regard to the standing in the college of those young men. He selected them himself; there was no attempt made to hold out the positions as prizes. The manner in which the Government could promote the benefit of the college is by offering a small number of positions in the service as prizes to those who most distinguish themselves at the college. We ought to turn out twenty or twenty-four graduates per annum. The suggestion I would make is this: that in addition to the four commissions in the British army, five or six positions which would be no very great number considering that, according to a return laid on the Table, we added about four hundred appointees to the Civil Service within fifteen months, should be distributed among the best pupils. I am quite certain if the hon. Minister will confer with the officers of the college he will find they will agree with the hon. gentlemen who have spoken, the hon. member for West Toronto (Mr. Denison) and others, in saying that that step would add very largely indeed to the efficiency of the college, and in process of time would provide the Government with some valuable civil servants. Nor can there be any weighty objection to it, because the appointees in the college are selected by competition. A regular competitive examination is held, open to all Canada, and there is selected a picked class of young men who would, without the slightest reflection on the Civil Service, make very excellent officers in at least one or two Departments, and notably in the Departments of Militia, of Railways and Canals and of Public Works.

Mr. CASEY. The suggestions made with respect to giving places in the Civil Service as prizes, are very valuable, but I would urge that those appointments should be in the outside service, in the engineering service, rather than in the Departments themselves. If cadets are taken into the Departments and become valuable officers, they will not be available for active service if required, without crippling the Department. If we desire young men for use in active operations they should be where they can enter on active service, and not cripple the Department. With respect to the young under-graduates entering them, I concur with the hon. member for Halifax (Mr. Jones) as to the inadvisability of sending there men whose education is not finished. Very likely no complaints have been received in regard to them; but, notwithstanding that fact, they cannot be as well qualified as if they had passed through the whole course. Although, as the Minister has stated, their standing in college was reported, yet they will be recognised as Canadian cadets, and the public will not know how they stand in the college to which they belong. Only finished product, if any, should be sent to England. I am still more inclined to agree with the hon. member for Bellechasse (Mr. Amyot) in regard to the expenditure on the Military College. I have always doubted, and I doubted when our own friends established the college, as to the advisability of the expenditure, especially in view of the results. It is true that we have very few examples of the usefulness of the graduates in Canada. Two years ago a return was brought down showing the destinations of the graduates up to that time, and it appeared that the vast majority were engaged neither in the Civil Service nor in the militia, but that a very large number had gone to the United States and engaged in engineering and other pursuits. So the British army and the United States have received the benefit of the expenditure and Canada has not done so. The

hon. member for Bellechasse (Mr. Amyot) made another very good point, and it is one which I have urged before, that this is a rich man's college pure and simple. Supposing that we turn out twenty-five graduates a year they will have cost over \$2,000 a piece to the country, besides \$300 or so which each cadet has to pay. The result is that the young men are highly educated, as regards general education, as well as in military matters, but it is of no special use to the military service of Canada, because those young men are not kept in the country and employed in the military service. I would suggest in order to utilise the cadets and greatly increase the efficiency of our forces, to appoint no one but graduates of the college as adjutants of battalions, give them an annual salary and compel them to look after all the companies of the battalion. We could fully employ most of the graduates in this way.

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

After Recess.

IN COMMITTEE—THIRD READINGS.

Bill (No. 14) to incorporate the Collingwood General and Marine Hospital.—(Mr. McCarthy.)

Bill (No. 62) to reduce the stock of the Ontario and Qu'Appelle Land Company (Limited), and for other purposes.—(Mr. Sutherland.)

Bill (No. 73) to incorporate the Bay of Quinté Bridge Company.—(Mr. Robertson, Hastings.)

Bill (No. 89) to incorporate the South Ontario Pacific Railway Company.—(Mr. Sutherland.)

SECOND READINGS.

Bill (No. 117) respecting the Western Counties Railway Company.—(Mr. Mills, Annapolis.)

Bill (No. 120) respecting the New Brunswick Railway Company.—(Mr. Skinner.)

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Royal Military College at Kingston \$59,000

Mr. MILLS (Bothwell). I do not altogether concur in the observations addressed to the committee on this subject by some hon. gentlemen. I do not think this institution is without its use in this country, and I do not think it is a proof of the failure of this institution that a number of those who graduated in it have found active employment in the English and other services under the Queen and in the neighboring republic. I think that a country does, after all, that which is best in providing scientific military education for a certain number of its citizens. If the services of these men were required by this country, I have no doubt that all of those who have gone to the neighboring republic would be found offering their services to the country in its hour of need. It is to be regretted these graduates have not found in this country a larger measure of employment in public life—in civil pursuits. I am inclined to think the Government might utilise their services much in the same way as the American Government have utilised the services of those who have graduated at West Point. The most effective provisions the Government can make for the defence of a country, when a defence is actually required, is by the scientific training of a certain number of those who would be called upon to officer its military forces. The experience of the United States shows it is much easier to improvise an army than to improvise men with the necessary qualifications to

Mr. CASEY.

command men during war. It is a remarkable fact in the history of the civil war which occurred in the neighboring republic, that nearly every one who was without that scientific military training which the military school at West Point affords, was a failure when put in command of any considerable number of men. It is only necessary to look at the history of the war there, from 1861 to 1865, to see that, however brave, however competent men were who were ready to take command of a considerable number of troops, whether on the one side or the other, and who were without this military training, such men, in almost every instance, failed. It seems to me that we might expend a smaller amount in the training of the volunteer force, without seriously affecting the defence of the country. I have no doubt that our people possess the elements of a soldiery quite as well as the people of any other country in Christendom. The experience of the continent of Europe, is that men of intelligence make better soldiers than men who are without any culture or education. I think that is shown by the high discipline which the German army has attained, and that being the case we have within the limits of this country, the necessary elements for a military force whenever such force is needed. In fact, it requires but a very few weeks of training under men who are qualified, to make very fair troops of the ordinary population of this country; but it is a wholly different thing to give the necessary qualifications to those who are to take command, and I believe that the Government which preceded this, did the country an essential service in establishing a military college at Kingston. I do not think our experience, notwithstanding the fact that many of the graduates have left the country for the time being, ought to induce us to abandon the course we have adopted. Let me mention one fact worthy of consideration. Over 100,000 of the population of Italy leave every year to settle in the various portions of South America, yet the Government of Italy vote something like \$750,000 a year towards the education of the children of those who have gone from their country and settled in a foreign country. It is of course going a very long way to expend money upon the population of a country after they have taken up their abode in a foreign country, and yet, after all, these people are not indifferent to the country of their birth, and they are all the more attached to it and inclined to establish friendly relations with their parent land in consequence of the interest the parent takes in them; so in this country the education and training of our population, whether it be the civil education given for civil purposes in our schools and universities or the military education afforded in the military schools, will always turn to our advantage. These men although they leave their country, are not after all indifferent to the country which has taken an interest in them. Therefore, while we might utilise our young men who are trained in our military schools to a larger extent, I feel, nevertheless, that in giving them a scientific military education, we are doing essential service, and even though they are gone beyond the boundaries of the country that expenditure is not wholly thrown away. On the contrary, I believe their services would be available if required; and at all events that the maintenance of this institution is the best means of affording efficient defence to this country when defence is required.

Mr. CASEY. When you left the Chair, Sir, I was pointing out the approximate average cost per head of the cadets turned out from Kingston college, and urging that it was practically a class college, an institution at which the country paid very large sums for the education of the children of a favored few in the community. I believe that admission to the college is not gained without recommendation from some member of this House. I may be mistaken in this, but it used to be the practice, and I would ask the hon. the Minister if such is not the case?

Sir ADOLPHE CARON. No such recommendation is required.

Mr. CASEY. It used to be at one time, and I thought perhaps it was continued now.

Sir ADOLPHE CARON. There is no such recommendation required.

Mr. CASEY. At all events, the candidate must pass a pretty severe examination. He must have had a pretty good education before he goes there, which must have cost some money, and money must be spent after he gets there, for tuition and board and so on; so that it becomes the privilege of a rather exclusive class of the community to send their children to that school. People of small means cannot afford it, and people of ordinary means can hardly afford it. As a matter of fact, it is generally the children of wealthy people, and to a large extent of people who are concerned in politics, who are educated in this school. Therefore, I say it is the college of a privileged class, and not a people's college. It is even more restricted in its operations than any of the universities of the country. No one ever proposed to this House that we should pay a subvention to any of the universities of the country for turning out young men who are educated in general subjects to the same extent that these cadets are educated. The only *raison d'être*, then, for the existence of this college, the only reason why the country as a whole should pay towards this education is for the sake of the military training which is given there. It has been shown, again and again, and is admitted by the Minister, that, practically, we have obtained very little advantage from the military training which the cadets have received.

Sir ADOLPHE CARON. I do not think I said that.

Mr. CASEY. I know the hon. gentleman told us that he had appointed one or two of the cadets in his Department and that a few had got commissions in the North-West police, and a few were employed in the military service, but can he tell us that one of them is acting now as adjutant of any battalion as far as he is aware? There is where you could get some advantage from this military training. If the hon. gentleman wants to get any advantage from this military training he should appoint these cadets as permanent and paid adjutants, and compel them to superintend the drill of all the companies in the battalion, whether at their different headquarters or in camp, and it could be easily arranged that they would drill at different times. He should be made responsible for their drill. Of course the drill would be carried on by the officers of the different companies, but the adjutant should be generally responsible for the drill of the regiment. The adjutant is the teaching officer of a regiment, and in that way you could find occupation as adjutants for a great number of these cadets, and, as has been already stated, you could find occupation for more in the engineering service. But, unless the Minister can devise some means for retaining these gentlemen, not only in the general service of the country, but in the military service, as teachers of our volunteers, I say the *raison d'être* of the college is gone. It is for military training that we are paying this money, and, unless we get the advantage of that military training after they have gone through the college, the reason why the Dominion should pay for the education of these wealthy young men, or a share of that education—about \$2,500 apiece, I think it is, on the average—disappears, and it becomes for all practical purposes a simple waste of public money. I speak freely and plainly on this matter, although I happen to disagree with my hon. friend from Bothwell (Mr. Mills), and many other of my friends on this side of the House who approve of the existence of this college, though they think greater results should be obtained from it. I have not been able to see yet the practical service of the college to the country. I agree

with my hon. friend from Bellechasse (Mr. Amyot) that, if this amount of money were spent in educating trained navigators, as masters and mates and pilots of our sailing fleet, infinitely greater practical advantage would be reaped. I do not think we have the same need for a military college as a country with a large and complicated regular army, which is able to find regular employment for its trained cadets. I do not even admit that all the officers who most distinguished themselves in military tactics in the American war were those who were trained at West Point. I do not remember all the names of the distinguished officers in that war, but I have a vague recollection that some who were not trained at West Point developed considerable tactical ability, and, as far as the needs of Canada are concerned, I think our military schools give or might give, if the time were extended, a thoroughly practical training to the officers already in the service. Those schools, of which we have had several and are to have more, would meet the needs of Canada at the present time. I suppose there is no use in further arguing against the existence of the college just now, when so many leading men on both sides of the House are agreed as to its necessity, but I think it is not only my privilege but my duty to point out why I think it is unnecessary and not of any practical advantage at all, and to point out still more markedly that, even admitting the necessity of a military college and the usefulness of it, this present college, as now managed, does not give results in proportion to the amount which is spent upon it. The number of cadets is comparatively small—twenty-two, or twenty-three, I think the hon. Minister said, was the number of those who graduated last year. That gives a cost of about \$2,500 apiece. If the sleeping accommodation of that college, if the buildings required to house the cadets, were extended so that the number of cadets in the college at a time could be doubled, the cost per head would be very seriously decreased. We could turn out twice the number at very little more cost than we now turn out the present number. I think I understood the Minister last year to hint that something of that kind was intended. I suppose there are not more than seventy-five or eighty studying at the college, of whom some twenty-two or three graduate each year. Twice the number could probably be handled by the same staff for the same expense that we now handle these seventy-five or eighty for, and, if it is necessary to have an annual output of cadets, we could have them for half the price. Even if the necessity and the usefulness of the college are granted, I urge this point on the Minister, and in addition to that, that some means should be adopted to retain these cadets, not only in the country, but in the military service, after we have educated them at such great expense.

Permanent corps—Batteries and Schools of Artillery,
Cavalry and Infantry Schools.....\$482,700

Sir RICHARD CARTWRIGHT. What does the hon. gentleman require this increase for? I see that a large sum is required.

Sir ADOLPHE CARON. \$47,000. That is the increase which was necessitated by the vote of Parliament which established the London school. Last year, it will be recollected, I did not estimate for the pay of the men and officers and staff, because we were building the barracks, and we were not yet ready to enlist the men and organise the school; but now that the building is very near completion, it will be necessary to provide for that school as we have provided for the other schools, and the amount of \$47,000 is required to organise the school at London.

Mr. ELLIS. Might I ask the hon. Minister if he can give us any information as to this: If he looks at the Auditor General's report, page 191, part 2, he will see that the cost

of medicine at the school at Fredericton, for the year, was \$789. For "B," which, I think, is in Quebec, the cost was \$251, and for "C" \$22. It would strike one, that one school must be managed on the allopathic principle and the other on the homeopathic principle, if there is such a large difference in the cost of the medicine. I may say to the Minister, that his management of the Department is not at all unsatisfactory in the Province of New Brunswick, and this excites a great deal of surprise.

Sir ADOLPHE CARON. It does not look like a large amount, and hardly speaks in favor of the climate of New Brunswick, but I could not give the details of the medicines that were purchased. I noticed the amount, and have asked for a report, so that it might be placed on the Table of the House.

Mr. CASEY. It may have been medical comforts, to a large extent. There are variations in the circumstances of the schools and batteries that make it very proper that we should know how this vote is to be divided amongst them.

Sir ADOLPHE CARON. I can give the amounts in detail if the hon. gentleman requires.

Mr. CASEY. I wish to call particular attention to one of these batteries, the famous "C" Battery, of Victoria, B.C. This is the celebrated battery that we discussed last year. We found it was commanded by Lieut.-Col. Holmes, and that his duties consisted in drilling and looking after the discipline of the numerous and valiant Staff-Sergeant Kinsella, who formed the whole rank and file of that battery. On that occasion the Minister of Militia explained to us why it was that the battery was not filled up, namely, because wages were so high in Victoria that they could not afford to hire men to form the battery; but I understood him to assure us quite confidently that it would be made right this year. I find still, in the last accounts, the valiant Sergeant Kinsella, the numerous Sergeant Kinsella figuring as "C" Battery, of Victoria, but it does not give any account of his medicine. I find that Lieut.-Col. Holmes was paid \$3 a day for 365 days, namely, \$2,920 for commanding Sergeant Kinsella. But it appears that last year Col. Holmes was not equal to the exertion himself of performing the full duties of commanding Sergeant Kinsella, for he had attached officers, and I find in the Estimates \$1,973.20 to pay them. So it takes Col. Holmes, at a salary of \$2,920, and a number of attached officers—we are not told how many—who are paid \$1,978 to assist him in commanding Sergeant Kinsella, while poor Kinsella himself only got \$273.75 for submitting to all this drill and discipline during the year. I do think it is time that the Ministry should put an end to the flagrant scandal of having such an item as this appear in our Estimates. We were told, to be sure, last year that Col. Holmes was also acting as brigade-major, I think, or deputy adjutant-general.

Sir ADOLPHE CARON. Deputy adjutant-general.

Mr. CASEY. But I find that by referring to the pay of other deputy adjutants-general elsewhere, that they are not paid much more than half as much as Col. Holmes is paid for commanding Sergeant Kinsella, and Col. Holmes is practically acting merely as deputy adjutant-general of British Columbia. That is all he is doing, and that is all he ought to be paid for, and his name ought to be put down in the Estimates under that head, and he ought to be paid no more than deputy adjutants-general elsewhere, unless it can be shown that his duties are much more severe. I believe that all the volunteers in British Columbia do not number nearly a thousand, and why he should be paid more for acting as deputy adjutant-general in British Columbia than those officers are paid elsewhere, I am unable to understand. I say he should be paid as deputy adjutant-general alone, and not as the farcical commandant of a battery which does not exist.

Mr. ELLIS.

Sir ADOLPHE CARON. I had occasion last year, when the hon. gentleman spoke upon this subject, to state how it was that Battery "C" in British Columbia had not yet been organised. The fact is that an understanding was arrived at between the Imperial and Canadian Governments, the Imperial agreeing to allow marine pensioners to take service in Canada in our marine force. The hon. gentleman will recollect that, last Session, I explained that from the fact that we had not been able to complete the arrangements which had taken place between the two Governments, the men were not expected to come out last season. But this year, after further communications between the Department and the Imperial authorities, I expect that these men will be forthcoming, and will form "C" Battery in British Columbia. Now, Sir, Col. Holmes was taken from "B" Battery in Quebec, and was sent out there as deputy adjutant-general, and he is now acting in that capacity for the district. When his appointment was made we expected that the men would come out that year, and that the battery would be organised immediately. However, this did not take place. But he has been acting, notwithstanding, as commandant of that district. We expect within a short time that the men will be sent out from England, and we will be able to organise "C" Battery. Hon. gentlemen will understand that Vancouver, as the terminus of the Canadian Pacific Railway, is a very important point, and it was considered necessary by the Government to organise a military force there. I explained to the hon. gentleman, but he did not seem to appreciate the explanation, that from the fact that the labor market was so very high in British Columbia, it was impossible for us to organise the force out of the men who were there, and it became necessary to make the arrangements I have mentioned. Now, Mr. Chairman, we pay marine pensioners exactly the same amount we pay to every other militiaman in Canada; and the hon. gentleman must know that under the Militia Act it is impossible for the Department to grant any other pay, unless we change the law, to any other portion of the force, than the pay which is provided for in the Militia Act. The hon. gentleman will see that the fact that the Imperial Government allows these pensioners to retain the pensions which they receive from the Imperial Government as long as they remain in the Canadian service, puts an end to any possibility of desertion, and consequently we can count on a force that will not be carried away by the temptation of higher wages offered in the labor market. I think it is important, from every point of view, to organise the militia force in British Columbia, and I am only sorry that it could not have been done sooner. However, we hope that within a short time that battery will be organised, and will be as efficient as the other batteries the we have in Canada.

Mr. CASEY. How long has Col. Holmes been receiving this pay as commandant?

Sir ADOLPHE CARON. The hon. gentleman seems to have examined the matter so closely that he ought to know that Col. Holmes was appointed some three years ago, and that ever since he has been receiving the pay which appears in the Public Accounts and the Estimates.

Mr. CASEY. The hon. gentleman has said that the Government thought it important to organise a defensive force for British Columbia. I quite agree as to its importance, and it is a shame that the Government, being aware of the importance of having armed forces there, should have allowed that country to remain undefended more than three years, except by Col. Holmes and Sergeant Kinsella. The Minister tells us this year the same story as last year. He told us last year that he expected to get the marine pensioners before he came to Parliament and asked for another vote, and, therefore, we voted Col. Holmes' salary. We have not yet got the pensioners, but we still have Col. Holmes and his salary. The Minister now tells us the

same story. He seems to be very full of hope; he is a young man of great expectations, but the expectations do not seem to be realised. As a matter of fact, Col. Holmes will have received at the end of this year four years' salary, at a ridiculous figure, for commanding one man and performing the duty of adjutant-general, done elsewhere for half the money by officers who have many times that number of volunteers to inspect. The Minister has told us why he has not got the battery filled up, but he has not shown the ghost of a reason for continuing the payment to Col. Holmes. The payment is, on the face of it, a payment for duties not performed, and which the officer was not asked to perform; and it is a disgrace to the Department to allow this item to stand so long in the Estimates; and unless the Minister expects, at a very early period, within a month or two, to have a battery for that officer to command, it should be struck out. It seems that after all the Minister is to import a battery ready made. The pensioners are men who have served some time in the navy or the marines, or, perhaps, in the horse marines.

Mr. BAKER. That is the corps to which you belong, I suppose?

Mr. CASEY. And these men are in receipt of pensions, they having generally been retired on the ground of ill-health or unfitness. Is the Minister going to import old, worn-out pensioners to guard this important point?

Mr. BAKER. I am very much obliged to the hon. member for West Elgin (Mr. Casey) for the interest which, *primâ facie*, he takes in this matter relating to the affairs of British Columbia, and at the same time, I must in part agree with him to the extent that the proposed vote for "C" Battery is rather a misnomer. Certainly at the present moment Col. Holmes has been discharging the duties of acting deputy adjutant-general of the district, and I see no reason why British Columbia, equally with all the other Provinces in the Dominion, should not have a deputy adjutant-general separate and distinct from "C" Battery and School of Gunnery. Ever since Confederation we have had one, and I believe the salary has been \$1,700. Therefore, the \$1,700 which should be paid to the deputy adjutant-general (the duties of which office Col. Holmes is performing) should be charged to the proper specific vote for that purpose. At the same time, the difference between \$1,700 and \$2,920, I presume, should be charged to "C" Battery. It is misleading to charge \$2,920 to "C" Battery, which at the present moment does not exist. I know very well that the Minister, from conferences I have had with him on many occasions, has endeavored, to his utmost, to push this matter to completion, and I am equally well aware of the difficulties he has met with. In British Columbia it is utterly impossible to expect to obtain men to form a permanent corps for the sum of 60 cents per day. In that Province we pay \$1 and \$1.25 to Chinamen for the ordinary work of digging a garden, and, therefore, it is not to be expected that white men can be procured to perform the duty usually performed by a battery for 60 cents a day, and I am, therefore, perfectly willing, and it is only discharging my duty, to give credit to the Minister of Militia for his honest endeavor to secure from the Imperial Government marines and naval pensioners to perform the duties performed by "A" and "B" Batteries, at the same time I must regret that up to the present moment he has not received that assistance from the Imperial Government which has been asked. So far as the payment of Col. Holmes is concerned, I must say that that officer is willing at any moment to earn every dollar paid him—in fact, is simply thirsting for more work.

Mr. DAVIES. What does he do if there is no battery there?

Mr. BAKER. I will tell the hon. member for Prince Edward Island what he does. In the first place, he performs the duties of acting deputy adjutant general, for which in other Provinces such officers receive \$1,000. That, therefore, deals with the major portion of the \$2,920 of this vote; the remainder is an allowance for subsistence and barrack accommodation. No doubt the hon. gentleman is cognisant of those duties, and how they are performed; and, I dare say, as he takes so much interest in British Columbia, he is equally cognisant as to how the duties are performed there. I am perfectly satisfied that Col. Holmes performs all the duties required by the Department, and in every way creditably to himself and satisfactorily to the Department of Militia. So far as "C" Battery is concerned, we have had, as the hon. member for West Elgin (Mr. Casey) has remarked, services performed by the acting deputy adjutant general in supervising the School of Gunnery in embryo. We have had officers, non-commissioned officers and men of the various corps under instruction by Col. Holmes and he has faithfully performed his duties in that connection. I am sorry to say that "C" Battery has not been formed in the manner contemplated two years ago. I do not think that the fault should be cast on the Government, because I believe the Minister has done his level best, as we say, in our far western Province, to consummate that which we most desire in that connection. The sum which the hon. member for West Elgin (Mr. Casey) has so severely criticised as having been charged and paid to "C" Battery for attached officers, I know, from having supervised the Public Accounts, is mainly owing to the amounts paid the non-commissioned officers and men who have been attached to "C" Battery from the militia of British Columbia while undergoing a course of instruction in gunnery. I must take this opportunity of expressing the hope that the Minister of Militia will, at an early day, be able to give us information as to when "C" Battery will be formed, the number of men who will constitute it, the number of officers who will be attached, and the pay they will receive for their services.

Sir ADOLPHE CARON. I desire to reply to some of the statements which the hon. gentleman has made. Col. Homes does not command the celebrated sergeant, which the hon. member for West Elgin (Mr. Casey) trots out every Session, alone. He is the acting deputy adjutant-general of that district, and I do not presume the hon. gentleman would wish to advocate the policy of leaving a Province like British Columbia without a deputy adjutant general, and the deputy adjutant-general commands all the ordinary militia forces of that district. The pay which Col. Homes receives is \$4 per day as Lieut.-Col. commanding the artillery school; not having any barrack accommodation in British Columbia he gets an allowance in all for quarters and subsistence of \$4 per day, and over and above that he gets paid \$1 per day as acting deputy adjutant general. Now, Mr. Chairman, it is impossible, as I contend, that it should be advocated by any hon. gentleman here that we should leave a district so important, from a military standpoint, as British Columbia without a commanding officer. It is to be regretted, and I have stated so before, that from the circumstances of the country it was impossible, in British Columbia, to do what is done in other portions of the Dominion, that is to draw upon the citizens of the Province for the purpose of organising our battery. The arrangement which has been made with the Imperial Government is one which is highly satisfactory. Every military man whom I have had an opportunity of consulting upon it, agrees upon this one point, that without that arrangement it would be impossible for years to come to have organised batteries such as we have in Quebec and Kingston. The hon. gentleman

has expressed a desire that I should give him, as soon as possible, the most reliable information as to the period of time when these men will come out. I can only tell the hon. gentleman that, in so far as my action as Minister of Militia is concerned, I have been urging upon the Imperial Government to carry out the understanding which was arrived at; and no ill-will, no indisposition on the part of the Imperial Government was shown, but, on the contrary, they were ready to meet us, and do all that possibly could be done, and do it as rapidly as possible. But the hon. gentleman must know, as well as I do, that, from the changes which have taken place in the Administrations in England, from the fact that the negotiations were commenced under one Government and taken up by a different Government, and owing also to the important questions which came up before the Imperial Parliament, it was unavoidable that some delay should take place, however regrettable it may be from our point of view that such delay occurred. However, from the despatches which have been received, I hope that within a very short period of time these arrangements will be completed. I do not wish to state the exact time, because I might be mistaken again, but from all the information which has come to me officially I believe that within a short time the men will be forthcoming and our battery will be organised. Now the hon. member for West Elgin (Mr. Casey), who has taken some interest in this matter, has stated that we were going to bring out to Canada some worn-out veterans of many wars to organise our battery in British Columbia. If the hon. gentleman had taken as much care to study the question as he has in looking into the history of Sergeant Kinsella, he must have known that these pensioners are men who are far from being old men; they are placed on the reserve list, they receive pensions, and are still kept on the lists in England. I had an opportunity when I was in England of ascertaining from those who knew the subject well, that those men were looked upon as the very best class of men that the English service possessed, men who were trained to the handling of heavy guns on ships, men who were given these pensions, and as long as they remain in Canadian Service they will retain those pensions. I think it is not only desirable, from a military standpoint, that we should get the services of these men, but I hope we shall be introducing into that promising Province of British Columbia, which requires only an increase of its population to develop its enormous resources, men who will become permanent residents of the country, and will contribute their share to the general prosperity of the Province. Now, I hope the hon. gentleman will be convinced that Lieut.-Col. Holmes, one of the best officers we possess in the Canadian service, a man who has given all his time to the study of his profession, and has made reports which have attracted the attention of every military man who has had anything to do with the Department, is not overpaid, when it is considered that he is fulfilling the duties of deputy adjutant-general, that he has the responsibility of the military district upon him, and I hope that within a short period he will be in command of that battery, which, I trust, will be as efficient as the other permanent corps which we have established in Canada.

Mr. CASEY. The hon. gentleman promised some statement as to the cost of each battery.

Sir ADOLPHE CARON. "A" Battery cost \$62,850. The estimate for "B" Battery is exactly the same. "C" Battery costs \$47,000. The difference is owing to the fact that the strength of "A" and "B" Batteries is 150 men, and that of "C" Battery only 100 men.

Mr. CASEY. What is the estimate?

Sir ADOLPHE CARON. \$47,000.

Sir ADOLPHE CARON.

Mr. BAKER. I would like to ask the Minister of Militia if, in his negotiations with the Imperial Government, any limit of age has been prescribed as regards these pensioners who are to be sent out?

Mr. CASEY. Is there any limit? Can the hon. gentleman himself tell us?

Mr. BAKER. I am not addressing the hon. member for Elgin (Mr. Casey) but I am addressing the Chair with a view of eliciting this information from the hon. Minister. When I want information from the hon. member for Elgin (Mr. Casey) I will consult him in the smoking room.

Mr. CASEY. Are they? I am asking for information.

Mr. BAKER. I am a little anxious about this question, because I am a pensioner from the naval service myself.

Sir ADOLPHE CARON. When I was in England, I had occasion to refer to the High Commissioner's Department for the purpose of charging the office there to look after the enlistment of these men in England. Of course, I fully understand the importance of the question put to me by my hon. friend, and I pointed out to the gentleman who was acting for the High Commissioner at the time—because the Commissioner himself was kept very busy with the exhibition, which took up a great deal of his valuable time—I pointed out the importance of not sending any of the men who would be over the age when their services might be of use to our organisation here.

Mr. CASEY. I am sorry that, not knowing that the hon. member for Victoria (Mr. Baker) was a naval pensioner himself, I alluded to the possibility of any such pensioner being decrepit or unfit for service. But I hope the hon. Minister will make better arrangements than merely asking the High Commissioner in London to look after these men. I do not suppose the High Commissioner would have any time to institute a careful medical examination of these men, and I do not think we should be satisfied with anything less. But even admitting that we could get these pensioners perfectly sound in wind and limb, I do not agree with the hon. Minister that this is the best arrangement that could be made. Of course, under the Militia Act, he cannot pay more than ordinary rates of wages; but, as a member of the Opposition, I should much prefer to see the hon. Minister of Militia ask for an amendment to the Militia Act to allow him to pay a higher rate of wages to this particular battery, so that Canadians could be employed rather than men from the other side. As to Col. Holmes' salary, the hon. gentleman tells us that he acts as deputy adjutant-general, but he omitted to tell us how tremendous his duties were. I find, from the Auditor General's report, that pay was issued in British Columbia for 261 men. I find, however, on referring to Col. Holmes' own report in the Militia report, that instead of having 261 men, the total strength of his force in British Columbia is 128, while the number who appeared on a muster was only ninety; and for commanding, or rather inspecting these men as deputy adjutant-general once a year, Col. Holmes gets \$2,900 a year, while other deputy adjutants-general who may have 2,000 or 3,000 to inspect in a year, get \$1,700 a year. As to the defence of British Columbia, so far from hinting that that Province should not be defended, I am blaming the hon. Minister for leaving it undefended as it is and has been for years. What does Col. Holmes say about the defences of the harbor of Victoria and the organisation of this battery? It appears that last year there was a short course of instruction for the officers and non-commissioned officers of artillery. He says:

"One officer and twenty non-commissioned officers and men joined for the course, and one officer attended for the purpose of obtaining a special course certificate. The instruction during the course was limited to squad and company drill, field and garrison gun drill, and repository exercises, owing to there being no sling waggon, gyn or

siege gun at the station. It was also necessary, owing to all the guns being mounted on naval carriages and slides, to modify the drill as laid down in the artillery exercises to suit the armament."

Here is a land battery which has nothing but guns mounted on ship carriages to work with.

"This proved only fairly satisfactory. I beg again to recommend that early steps be taken to replace these slides by travelling platforms of modern pattern."

Here is something worse—the great city of Victoria, the importance of whose defence the hon. gentleman has been insisting upon, defended in this way:

"Most of the wooden carriages and slides in charge here are now unserviceable from decay, four at least being completely useless, thus rendering two-thirds of our 64-pr. armament at present useless."

And the hon. Minister who permits this state of things, says to me: "I hope my hon. friend does not wish to hint that British Columbia should be left in a defenceless condition," when his own officer reports that it is in a defenceless condition and has been for years.

"Requisitions were made some months ago for wrought iron column standing carriages, to replace those now unserviceable, as well as for many articles of equipment much needed to place the batteries in a condition fit for service."

And they did not get them.

Mr. BAKER (Victoria). Whose fault is that?

Mr. CASEY. The fault of the hon. Minister of Militia, who has been leaving the Province in a defenceless condition for years, in spite of the urgent reports of his own officers, only Col. Holmes being there and Sergeant Kinsella.

Mr. BAKER (Victoria). No, he is not. He is in Kingston; I saw him there the other day.

Mr. CASEY. Well he is an Irishman, and I suppose the hon. gentleman thinks there is as much fight in him as in a whole ordinary battery. But as careful as the hon. Minister is, he has done nothing whatever to remove that scandal.

Improved rifled ordnance.....\$3,000

Sir RICHARD CARTWRIGHT. What quantity of rifled ordnance does the hon. gentleman expect to get for this sum, and what calibre may it be?

Sir ADOLPHE CARON. I see that my moderation surprises the hon. gentleman. This vote is for the purchase in England of 2 64-pounder rifled guns with standing carriages. The cost of the guns is £300 sterling each, exclusive of freight and transport from England. Every year we have been putting a small amount in the Estimates for the purpose of getting a couple of these guns out to be mounted on the fortifications wherever they are required. I can easily understand that a very large amount of money might be utilised in a manner that might be of great benefit to Canada, in importing all the guns that might be required for the purpose of the force; but I think the hon. gentleman must feel that it is in every way in the interest of Canada to vote a sufficient amount to bring out a couple of these every year.

Sir RICHARD CARTWRIGHT. Are the guns which have been brought out heretofore intended for coast defence?

Sir ADOLPHE CARON. They are intended for the armament of the fortifications.

Sir RICHARD CARTWRIGHT. Where?

Sir ADOLPHE CARON. We have two of these guns in Quebec, and I believe one has been sent to Kingston, and we require one in the Maritime Provinces for training purposes.

Sir RICHARD CARTWRIGHT. If they be for the purpose of training artillerists, I can understand that they may

be of some use; but if they be for the purpose of coast defence against vessels of the sizes now employed, it appears to me that the money will be practically thrown away. I am inclined to think that a 64-pounder gun of the best possible construction would be about as effective against an armor-clad vessel carrying guns of the sort now manufactured, as a pop-gun would be against an elephant.

Sir ADOLPHE CARON. The inspectors of artillery and the officers of the Department, must know what they recommend, and they recommend these guns.

Drill sheds and rifle ranges..... \$10,000

Mr. BURDETT. What portion, if any, of this sum is to be appropriated for the erection of a drill shed in the city of Belleville? If no portion of this sum is to be so applied, what sum will be placed in the Supplementary Estimates for the purpose of accommodating the 15th Battalion?

Sir ADOLPHE CARON. Out of the amount estimated, the Department will be able, under the Order in Council that has been passed, and is applicable to all these cases, to contribute the proportion which the Government is bound to contribute, provided the municipality does its share also.

Mr. BURDETT. How much does the Minister propose to contribute? Does he propose the municipality shall contribute?

Sir ADOLPHE CARON. The question is regulated by Order in Council which applies to every drill shed, except in very exceptional cases in the large centres, such as Toronto, Montreal and Quebec, where the force is very large, but the amount which the Government is called upon to contribute is regulated by the grant which the municipality is bound also to contribute. I will give the hon. gentleman a copy of the Order in Council, which we distribute from the Department, and he will see the exact position in which the matter stands.

Mr. BURDETT. I have no desire to find fault with the hon. gentleman, for I believe he is inclined to do all he can for the force, but, at the same time, I think this ought to be made an exceptional case. We have contributed a larger proportion to the forces, comparatively, than any other district, and our battalions, the 15th and 49th, are deserving of special consideration. The 15th sent one company to the North-West, which formed part of the Midland division, and was among the foremost at the charge at Batoche, two of its officers and several men having been wounded. The 15th took the most prominent place in the fiercest of the fight, and a battalion composed of such noble men ought to be entitled to exceptional consideration, more especially as the officers held a meeting, at which it was proposed that they should resign in a body unless some consideration was shown them. The municipality can ill afford to assist the drill shed, as it has granted large bonuses to railway companies, which this Government have assumed, and thereby deprive the municipality of the benefit to be derived from the money expended on them. I believe the officers and men would forego a portion of their small and inadequate pay in order to enable the Government to construct a drill shed. While on this subject, I desire to raise my voice against the importation, into this country, of any pensioners or placemen, be they marine or of any other class. The country is in that condition in which we might be safely called upon to export pensioners instead of importing them. We are able to govern ourselves, we are able to furnish our own officers, and do not require to import officers to do our work.

Sir ADOLPHE CARON. We do not import officers.

Mr. BURDETT. We do not require to import pensioners, but can take men from our own schools to fill our own positions. Let people come here to settle and make

this country their permanent home. They are welcome and ought to be fairly treated, but I think Canada ought to be, as has been stated on the stump by a certain party, for the Canadians, and that we ought to find the men to govern us from within ourselves, from the Governor General down to the humblest rank and file. I am opposed to the importation of officials of any kind. I believe in the employment of our own people to do our own work. Had that principle been followed in the case of the North-West rebellion, the rebellion would have been shortened materially, and we would have been saved millions of money. I wish to cast no reflection. I do not wish to deprecate the ability or courage of English officers, but I say they do not understand the genius of the country and the mode of warfare adapted to a country like the North-West. Had the men in that rebellion been officered by officers of our own country, the rebellion would have been materially shortened, and when the true history of the charge at Batoche comes to be written, it will be found that the men not only made the charge, but made it acting on orders of their own.

Mr. DENISON. I would draw the attention of the hon. the Minister of Militia to the fact that Toronto is sadly in need of a drill shed. The difficulty heretofore was the want of proper ground, but that will be overcome in a week or two, and I will take the liberty of asking the Minister whether he will put an amount in the Supplementary Estimates for this purpose.

Sir ADOLPHE CARON. When the Supplementary Estimates come down, my hon. friend will find that Toronto has not been neglected.

Mr. KENNY. I would like to remind the hon. the Minister too, that a drill shed is required in Halifax.

Sir ADOLPHE CARON. My hon. friend must feel that it is impossible, with the amount of money provided for the Department of Militia, to build drill sheds every where in one year. No doubt Halifax has a drill shed which may not be as perfect as it should be, but the time will come when it will be improved sufficiently to meet the requirements of the force.

Sir RICHARD CARTWRIGHT. I understand this drill shed did receive great damage in a contest of a semi-military character that took place there.

Sir ADOLPHE CARON. That has not been reported to the Department.

Mr. SHAKESPEARE. I draw the attention of the hon. Minister to the unsatisfactory condition of the drill shed at Victoria. It is more like a barn than anything else; and I am satisfied if the same regard is paid to the militia force at Victoria as is paid to the force in other parts of the Dominion, the militia force at Victoria will very soon increase in number. The population of that Province, I am happy to say, has increased in the last three or four years very much, and there will be no difficulty getting an increase to the military force of that Province when due regard is paid to their comfort and the necessary equipment.

Sir ADOLPHE CARON. My hon. friend will agree with me that it is necessary first to establish "C" Battery before speaking of building a drill shed in Victoria.

Mr. JONES. The drill shed in Halifax is well enough, so far as it goes, but it is not large enough, and a part of it is taken up for the armory. During the time I administered the Department, I had removed from the present drill shed the band room and erected a brick building for the brigade officers, and thus gave increased accommodation. I doubt if a cent has since been expended on the shed, and very great complaints are made with regard to the condition of the roof and the building generally.

Mr. BURDETT.

With regard to the repairs necessitated by a gathering on a semi-military occasion last February, I trust that sum was put down to the expenses of the Conservative party, because I can assure the House that all the Liberals that evening behaved remarkably well.

Mr. BROWN. I would ask the hon. gentleman if the flag staff on the drill shed is in good order.

Mr. JONES. I suppose the hon. gentleman means the Tory flag.

Mr. BROWN. No, the British flag.

Mr. JONES. When I hear the hon. gentleman speak about the British flag, it is like a certain courtesan who is always boasting of her purity, when I see the hon. gentleman getting up here and asking a question of that kind. I have taken my position on that question, and if the hon. gentleman wishes to know my opinion, he will get it, but there is a certain amount of flunkeyism which I do not entertain, and I will let the hon. gentleman have full command and full control of all the flunkeyism he likes.

Mr. BAKER. I wish to add to the remarks of my hon. colleague that it is highly desirable that the Minister should take into consideration in the near future the desirability of building a new drill shed in Victoria, and this being Her Majesty's Jubilee year, I hope this \$10,000 is for Victoria.

Mr. CAMPBELL (Kent). I cannot let this opportunity pass without call the attention of the Minister of Militia to the importance of building a drill shed and improving the armories in the town of Chatham. A petition has been presented, signed by a large number of the ratepayers of that town, and I hope the Minister will give this matter his very serious attention. I assure him there is a very great necessity for it. I believe he is considering it now, and I hope that, after taking these papers into consideration, he will be able to bring down a vote in the Supplementary Estimates for this purpose.

Care and maintenance of military properties transferred from the Imperial Government..... \$12,000

Sir RICHARD CARTWRIGHT. I cannot say that it is absolutely essential to this particular vote, but possibly the question may be put at this time as well as at any other. A good deal was said at the recent conference of the colonial delegates in England as to some general scheme of defence, and assertions have been made somewhat freely that some propositions or other have been transmitted to this Government to ascertain if they would be willing to pledge the credit of Canada for any specific sum for military or naval purposes. I would ask the Minister of Finance if any correspondence on that subject has taken place, or if the Government have held out any hopes to the Imperial authorities that they would be prepared to recommend an appropriation for a purpose of that sort.

Sir CHARLES TUPPER. There is no correspondence, I think, that bears recently upon that question. I hope Her Majesty's Government will, for a long time to come, consider that we have efficiently discharged our duty and made a very great contribution to the defence of the Empire by the construction of a great transcontinental railway, which is of very great Imperial as well as colonial importance.

Mr. MILLS (Annapolis). With reference to this item and the next, I might say a few words, and particularise the fort in the constituency of which I have the honor to be the representative. I have noticed here to-night that all the new countries in the Dominion are putting in their claim for military protection. The old Provinces, the old towns, are being left out in the cold altogether. Reference some days ago was made to this fort at Annapolis, and it

was asked by a gentleman on the other side of the House what was being done with this Fort Anne, and that gentleman was highly gratified to have an answer from the hon. the Minister of Militia that Fort Anne was to remain as a landmark. It was highly satisfactory to that hon. gentleman that Fort Anne should remain as a landmark, that the Minister should have that respect for antiquity. Well, we have a landmark—no doubt about it—it is pretty well marked. It is a well-defined fort, and the antiquity is great. We have plenty of antiquity there. They tell us to have respect for antiquity. We have any quantity of antiquity. It is all antiquity, as far as that fort is concerned, in the town of Annapolis. We can go back as far as the year 1605, and rake up our antiquity as to that fort. Port Royal was founded in 1605. It was the first settlement after St. Augustine on the continent of America. There is no other place in the Dominion of Canada that can have so much antiquity as the fort at Annapolis, and I have a great respect for old and ancient institutions. I am second to none in the Province of Nova Scotia in my respect for old and ancient institutions, but, even in that respect, you must have a choice. I have respect for an old and ancient fort, but I have none whatever for an old cow pasture, and that is what Fort Anne is at the present day in Annapolis Town. Some people residing in Halifax, honorable senators residing in Halifax, hon. leaders of the Grit party residing in Halifax, may recommend that this fort be preserved, and that everything on that fort be preserved, and there let it remain, so that it may be looked upon by visitors, so that people may talk about it, and that would be all. But the people of Annapolis desire something different from that. They are willing to have their sentiments aroused with reference to the antiquity of the Annapolis fort, but they do not desire that this respect for antiquity shall detract from their business, from the progress of the town and from the universal progress which I am proud to say is being seen now in this Dominion of Canada. If we cannot get Annapolis Fort, or some portions of it, some useless portions of it, to assist us in our business transactions in the town of Annapolis, then let us have it put in a respectable state of repair. Let it not be there as a bar and a blot upon the town, but let us endeavor, let this Dominion Government endeavor to place that fort in a proper state of repair, so that it may be a respectable piece of antiquity and not what it is at the present time. I am pleased to know that the Minister of Militia has designs to place it in a respectable state of repair, but that is not all we want. We know perfectly well, it is known to everyone who understands the history of the Province of Nova Scotia, that Fort Anne at Annapolis has been one of the first military institutions in this country. It has boasted of its 135 pieces of ordnance. Now we have not a gun there to bless ourselves with, and, if the Minister of Militia should happen to come down to that part of the country, we have nothing to receive him with except an old Queen Anne musket to fire a salute in honor of his arrival. We should like to have some guns there. We have had guns.

Mr. BAKER. Big guns?

Mr. MILLS (Annapolis). Big guns—large guns—I do not know how many pounders. But I know that when I was a boy—and I was born immediately across from the old fort—I watched the fire which poured out of those guns at Fort Anne, when General Williams—and Annapolis was his birth place—came there as the Governor of Nova Scotia, I remember those guns being fired from Fort Anne, but now we cannot hear the sound of a gun, and all the guns have gone, every one of them. I do not know whether they have gone because the Imperial Government have transferred this property to the Dominion, but I do know that when it was Imperial property we had guns, and now we

have none. I could not but remark the difference between British Columbia, a new country, and this Fort Anne, an old country.

Mr. BAKER. British Columbia is an old country.

Mr. MILLS (Annapolis). They have a battery there, but no men to man it. We have men and they have enrolled themselves, and that enrollment is now in the Department of Militia, but we are told there is no money to form a battery at Fort Anne, and we cannot get the enrollment fixed. Now, I say in reference to this old fort, that every Frenchman in this House, and every Englishman in this House should combine upon this common ground, where their ancestry have fought, and bled, and died in endeavoring to wrest from each other this spot which is now the common spot of all of us. I think it is only right that this monument of antiquity should not only be restored, as it were, and as I am informed the Minister of Militia intends to do, but that we should have guns there and men who are ready to take charge of those guns.

Mr. JONES. I am glad to find that the hon. member for Annapolis has such a great respect for the historical spot mentioned in that town. I share with him the regret that he naturally feels that a place of such historical reminiscence should be left without the means of defence. But if they have not the modern weapons of warfare, we know, from what has taken place there, that at least they have what is obsolete, to some extent, in modern warfare, but which answers a useful purpose in other warfares—they still have the smooth bore. Now, I share in the desire that this place should be restored and ornamented. If I am correctly informed there were certain parties in Annapolis—I will not mention the names—

Mr. MILLS (Annapolis). Name them.

Mr. JONES. They are doubtless known to the hon. gentleman himself, who have approached the present administration on more than one occasion, to endeavor to purchase that property, and they have placed upon it a value very far beneath its actual value in the market, at least such is my information on the subject. It was in the apprehension that the Minister of Militia might be led to accept a valuation placed on it by interested parties for their own purpose, that I ventured to bring this to his notice the other day in a motion that I made in the House. It was clearly with the intention of putting the hon. member on his guard, because I was led to believe that the sum of \$2,000 had been mentioned as the value of that property, whereas, if it was placed in the market for tender and sale, it would realise \$15,000 or \$20,000. Be that as it may, I am glad to hear that the increasing business of the town of Annapolis demands the disposal of this property; but the last time I visited that very interesting spot, I am sorry to say that, according to my recollection, there was ample room for the extension of her commerce, and think that if the Government adhere to their resolution to retain this property at their own disposal, the trade and commerce of the town of Annapolis will not be interfered with for many years to come.

Mr. WELDON (Albert). It is gratifying to hear the senior member for Halifax (Mr. Jones), giving evidence of his conversion in the course of ten years; it is pleasant to hear him express his anxiety that these old historical forts of which, at all events, in the Lower Provinces, we have too few, shall be guarded and restored. It is within the memory of every Maritime Province man, who, during the last seven or eight years, has taken a run over to another old historical fort, Fort Cumberland, that a change for the worse, has, within ten or twelve years, gone over that fort. When we were boys, many of us here, going to school in that neighborhood, we used to spend our holidays walking over the old broken ramparts of Fort Cumberland, and hearing

the guide tell stories about the history and capture of that fort. But there were some things there that we could see for ourselves, and they were the old French guns. But let a traveller go now to the old historical fort, the most interesting spot of old Acadia, and ask once more for the old French guns, and the guide tells him they are gone. When he asks what became of them the current story is that these old guns were sold when the senior member for Halifax was commander-in-chief of the fort. They were sold to make cooking stoves of, and that is worse than beating the sword into the ploughshare—melting down an old historical gun into cooking stoves.

Mr. JONES. This is the first I ever heard of the subject; I never heard before of making cooking stoves out of brass cannon.

Barracks in British Columbia..... \$10,000

Mr. BAKER. I would like to ask the Minister of Militia if it is the genuine, honest intention of the Government to spend that money this year?

Sir ADOLPHE CARON. In answer to the hon. member, I must say that, knowing him as I do, I am perfectly certain he would not be such a staunch supporter of the present Government if he were not perfectly certain that all that is placed in the Estimates is genuine and true.

Mr. BAKER. The hon. member for Victoria is a believer in deeds, not words.

Expenditure in connection with the Canadian Pacific Railway in British Columbia..... \$ 180,000

Sir CHARLES TUPPER. This is for the purpose of flattening the slopes and of cutting and removing loose rocks; \$153,000 is the estimated cost; and the engine house at the Pacific terminus, \$37,000. This concludes the expenditure in connection with the Government work on the Canadian Pacific Railway in British Columbia.

Mr. MILLS (Bothwell). I thought that was completed and the work handed over.

Sir CHARLES TUPPER. It has been handed over, but it has not been finally completed.

Sir RICHARD CARTWRIGHT. What is the arrangement now in force with the Canadian Pacific Railway as to remedying those enormous grades which exist on three or four miles of that road, just before you enter British Columbia, near about Stephen? The grades there reach to nearly 1,000 feet in four or five miles. If my recollection serves me this is contrary to the whole tenor of the agreement by which the company undertook either to construct the line at some other point or to build a tunnel. I want to know what the agreement is that is in force with respect to that matter.

Mr. POPE. The arrangement is that when the company are called upon by the Government to remedy and improve those grades, they are bound to do so, and they have left with the Government \$1,000,000 worth of land grant bonds as security to secure its completion.

Sir RICHARD CARTWRIGHT. We have an engineer in charge of this road, Mr. Schreiber, who receives a special salary for looking after it. What estimate does Mr. Schreiber make of the cost of remedying those grades and reducing them to a proper figure?

Mr. POPE. He estimated the cost of remedying those grades at about \$800,000.

Sir RICHARD CARTWRIGHT. In what way? By tunnel?

Mr. POPE. Eighteen hundred feet by tunnel, which will be a small part of the distance.

Mr. WELDON (Albert).

Sir RICHARD CARTWRIGHT. Because, if my recollection serves me, several serious accidents, attended with loss of life, have occurred, and there is more or less risk all the time. It seems to me that the arrangement should be put in force within a reasonable space of time, and should not be hung up indefinitely, as it appears to be, from statements of the Minister of Railways and Minister of Finance; and that within a year, or two years at the furthest, the defect ought to be remedied.

L. K. Jones, services as Private Secretary to Chief Engineer of Canadian Pacific Railway..... \$100

Sir RICHARD CARTWRIGHT. This amount of \$100 carries with it, I suppose, \$2,000 or \$3,000?

Sir CHARLES TUPPER. By an Order in Council dated 10th July, 1882, \$100 was allowed to Mr. Jones for the year 1881-82, in his capacity as secretary to the Chief Engineer of the Canadian Pacific Railway, and that amount has been voted yearly since, with the exception of the year 1882-83 when Mr. Jones was acting as secretary to the Intercolonial Railway Commission, and consequently it was not voted for that year?

Sir RICHARD CARTWRIGHT. I fancy I am correct in saying that this implies that Mr. Schreiber receives \$2,000 a year as engineer for the Canadian Pacific Railway during the next year.

Sir CHARLES TUPPER. Yes.

Sir RICHARD CARTWRIGHT. What has Mr. Schreiber to do with the Canadian Pacific Railway during 1887-88? We have been given to understand that all connection by the Government with the company had ceased.

Sir CHARLES TUPPER. We have just passed a vote for \$180,000 in connection with that railway.

Sir RICHARD CARTWRIGHT. Under whose superintendence is that money to be expended? Is it to be under the superintendence of the Government, or is it to be handed over to the company?

Sir CHARLES TUPPER. It will be under the supervision of the Chief Engineer.

Halifax Extension..... \$11,000

Mr. JONES. I should like to ask the Minister of Railways if the Government have yet come to a decision with respect to the application made to appropriate a part of the west side of Water street, and give increased accommodation at the deep water terminus, so called, at Halifax. I observe there is an item of \$11,000 placed in the Estimates for Halifax Extension. At the interview which my colleague and myself had with the Minister of Railways, we pointed out to him the requirements of that terminus, and it was admitted by Mr. Schreiber, and by the other officers of the Department, that at present the accommodation at Halifax is not sufficient for the business. With the obligation of the Government to afford increased accommodation to the Windsor and Annapolis Railway Company, under the terms of their charter, I hope the Government are now prepared to deal with the subject generally.

Mr. POPE. How generally? Will you explain the meaning of that phrase?

Mr. JONES. To deal with the question as regards the necessity of increased accommodation for the Intercolonial, which would also embrace accommodation for the Windsor and Annapolis Railway, which, under the terms of their agreement of 1879, re-enacted in 1882, and confirmed by the decision of the Privy Council last year, the Government are bound to afford to that railway. I, therefore, contend that the opportunity now presents itself to carry out the obligations of that company and to secure what is absolutely necessary, that which is admitted to be necessary by the offi-

cers of the Railway Department, increased accommodation at Halifax for the traffic of the Intercolonial itself. I suppose this small amount is intended for some matter of repairs. Of course, it cannot be intended for any extension, and I shall be very glad to hear from the hon. gentleman whether the Government propose to enlarge the terminal railway facilities at Halifax, both for the Intercolonial and the Windsor and Annapolis Railway. The petition which has been forwarded to the Government and the plans which are now in their possession show how easily the work can be accomplished at a very moderate cost. When hon. gentlemen are spending large sums in all parts of the Dominion, in the eastern part, in British Columbia and in the North-West, I think we have a right to expect that, at least, we shall have such terminal facilities at Halifax as are necessary for the accommodation of the business. I pointed out on another occasion that a steamer loading at one wharf had to get part of her cargo at Richmond at very great expense, and if the Minister of Railways expects to make the Intercolonial Railway a success, and have the business properly despatched, he will recognise the necessity of having sufficient accommodation at Halifax for all purposes.

Mr. KENNY. I agree with all my colleague has said as to the necessity of increased terminal facilities for the Intercolonial at Halifax. I have listened with pleasure while my colleague has urged on the Government of the day the necessity of this increased accommodation, because on previous occasions when he has addressed this House he has grown wildly eloquent over the diminishing trade of Nova Scotia and especially of Halifax. I am sure he is urging this matter on public grounds, and he could not consistently do so if the trade of Halifax was decreasing and the trade of Nova Scotia was diminishing. I am glad, therefore, to find on this occasion that the hon. gentleman is right, and he must have been laboring under some great hallucination when he deplored the decreasing trade of Halifax, when, in reality, the commerce of that city was increasing. It has been shown on previous occasions, in this House, that there is no more necessary expenditure of public money than that for the improvement of the winter port of the Dominion at the city of Halifax. On previous occasions it was the duty of the Minister of Railways to expend large sums of money at Halifax. My hon. friend seemed to be almost sad that it was necessary for the Dominion of Canada to spend so much money in the city of Halifax, and I am glad, therefore, to have his assistance on this occasion in urging on the Government the necessity for the expenditure of public money in that city for the improvement of the terminus of the Intercolonial Railway.

Mr. JONES. My worthy colleague has argued from a different standpoint entirely, and is endeavoring to make it appear that I was opposed, to some extent, to the expenditure upon the deep-water terminus.

Mr. KENNY. Yes.

Mr. JONES. Precisely. Where my hon. friend and I differ is in this: that I say it was not spent at the proper place, that the expenditure should have been made at Richmond, that the water-side should have been secured from Richmond down to the sugar refinery, and that there was a petition presented by every shipowner and steamship agent in the city of Halifax with reference to that very question. If they had done as we contended they should have done, and placed all the sheds and wharves at Richmond, it would then have obviated the necessity of cutting half a mile more into the heart of the city, at very heavy expense, and when they came into the city they did not take sufficient land or water accommodation for their purpose. This they could have secured at Richmond at a much smaller expense than was required at the deep water terminus. But, having spent the money there, I am not going to say it is sufficient,

because it is not, and having settled upon having a deep-water terminus for the landing and the discharge of goods, any one of common sense would say: As you have made it, make it large enough. My argument is to take the land near it, as has been recommended to the Minister, and give us at the deep-water terminus that accommodation, even at a little increased expense, which we should have had at Richmond, if wiser judgment had prevailed. As regards the increased business, it is mostly through traffic; it does not bring much to Halifax under any circumstances; it is only for the accommodation of the Upper Canadians and not for us at all. When the steamers come there we want accommodation, so that our goods can go into store and be forwarded. Last year the stores were breaking down with goods, simply because we could not get them over the Intercolonial Railway, and we want more shed accommodation and more water-side accommodation for steamers, because, being connected with steamers myself, I know the great convenience of securing berth room for steamers. There is only berth room for two steamers, with all this expenditure, one on each side of the wharf, so that the present accommodation is not at all satisfactory.

Mr. BORDEN. I leave the members for Halifax to settle the question of whether the trade of Halifax is increasing or diminishing, but I am glad to agree with them in urging on the hon. Minister the importance of increasing the terminal facilities for handling freight at the Intercolonial Railway at Halifax; and I do so, not in the interests of the city of Halifax simply, nor in the interests of the Windsor and Annapolis Railway Company, but in the interests of the whole western part of Nova Scotia. The eastern part of Nova Scotia has had its roads built by the Government, and they are owned and operated by the Government. The western part of Nova Scotia has had its roads managed by a company, and of course, has had necessarily to pay higher rates for freight, and has thereby suffered inconvenience as compared with the eastern part of Nova Scotia. When the Windsor and Annapolis Railway was constructed, certain concessions were given to the company as a bonus to help build that road, and one of them was that they should have the use of all terminal facilities in Halifax.

Mr. JONES. And extensions.

Mr. BORDEN. And extensions. Now, during this Session the question was brought up as to the discriminating charge which has been made against the west in favor of the east, by which cars are charged \$1 going in from the east, and \$2.50 going in from the west. In this connection, I would like to ask the Minister if he has considered the question, and whether he has made up his mind to do justice to the western part of Nova Scotia by equalising these charges? I would also call the attention of the Minister to some resolutions which were recently passed by the Halifax Chamber of Commerce. Very likely copies of those resolutions have been sent to him, but with the permission of the House I will read them:

"Resolved, that the Halifax Chamber of Commerce again call the attention of the Dominion Government to the importance of and necessity for a frost-proof freight warehouse at Halifax, and urge upon them that a sufficient sum be again included in the Estimates for the erection of such a building, and its completion this year;

"Also, resolved, that a copy of the above resolution be sent to our representatives at Ottawa, and that they be requested to have the matter brought up for consideration as early as possible during the present Session. Also, that a copy of this resolution be sent to all Nova Scotian members at Ottawa, and their co-operation solicited to secure for Halifax a building which would be mutually beneficial to the whole Province;

"Whereas, this Chamber has on several occasions expressed its desire that the terminal facilities at the Intercolonial depot at Halifax be improved that local freight be received and delivered at the deep-water terminus; and also that freight facilities at North street be afforded the Windsor and Annapolis Railroad, thus affecting a large saving in the handling and cartage of goods to and from this city;

"Therefore resolved, that this meeting of the Chamber of Commerce of Halifax once more desires to impress on the Government the necessity of these extensions of railway facilities and improvements in the handling of freight being at once made, and hereby urges on the county parliamentary representatives that effort be made to secure these much-needed facilities, for the trade of the city and Province, at an early day."

Mr. KENNY. The importance of this subject not only to the city of Halifax, but to the Dominion, as it involves the expenditure of public money, must be my excuse for addressing the committee again. My hon. friend the member for King's (Mr. Borden) has very properly brought to the notice of this House that the trade of the western portion of Nova Scotia labors under a great disadvantage, from the fact that the goods which are transported over the Windsor and Annapolis Railway are left at Richmond, where my hon. friend, the senior member for Halifax, says the water terminus should be. I think, Sir, that nothing could more clearly prove the error of my hon. colleague than the argument advanced by my hon. friend from King's (Mr. Borden), and I tell my hon. friend that no greater injury could possibly have been done to the trade of Halifax, and consequently to the trade of the Dominion, than to have left the water terminus of the Intercolonial Railway at Richmond. I suppose this is an excuse for my hon. friend, that when he was a member of a government and a Minister of the Crown he did not secure proper facilities for the Intercolonial Railway. Now, Sir, I contend that no wiser expenditure of public money was ever made than when the Intercolonial Railway was extended to the present deep-water terminus. And here I may take the liberty of making a suggestion to the hon. Minister of Railways. The very fact that the railway extends to the deep-water terminus will, I hope, enable the hon. Minister of Railways to secure the right of way from the wharf-holders in the city of Halifax, and lay the rails right down to every wharf in the city. Now, that could never have been done if my hon. friend's idea of having the deep-water terminus at Richmond had been carried out. My hon. friend has reminded the hon. Minister of Railways that it was absolutely necessary that some change should be made, and some improved facilities given, owing to the fact that the railway stores were breaking down with the immense quantity of goods in them, and that that was a benefit to the Upper Canadians. Is not my hon. friend a Canadian?

Mr. JONES. No, a Nova Scotian.

Mr. KENNY. Well, I am; and as the Upper Canadians are to pay their share of this expenditure, it is quite right, if they can send goods down there and we can send goods to them, that we should provide proper facilities for their transportation over the Intercolonial Railway. It was only the other day that I reminded the hon. the Minister of Railways that that railway was built to develop intercolonial trade, and that, without the Intercolonial Railway, we could not have a national existence.

Mr. JONES. My hon. friend asks me whether I am a Canadian. I will answer him in the language of a late Secretary of State, that I am a Canadian by Act of Parliament. With reference to the explanation of the hon. gentleman with regard to the terminus, he forgot to state that the terminus of the Intercolonial Railway was brought into the city of Halifax by the Administration of which I was a member.

Mr. KENNY. To North street only, and only for passengers.

Mr. JONES. He forgot also to state that there is not a pound of freight received or shipped from the deep-water terminus, so-called. It is only through freight that is landed from the Upper Provinces, and it only reaches the deep-water terminus by a siding, which was brought into the city by the Government of which I was a member. At the time

Mr. BORDEN.

that Government was in power we took care to have a survey made of the whole water-side of Halifax; and, my hon. friend is aware, if we had remained in power, it was our purpose to bring the line down Water street from the North street station, just as the deep-water terminus is reached from the North street station to-day. The hon. gentleman has been speaking aside from his argument, because every dollar we spent there was to bring the line along Water street to accommodate the business community of Halifax.

Mr. CAMPBELL (Kent). This subject is one of considerable importance to the people of this whole Dominion. For some time the wish has been expressed by a great many people that the terminal facilities of the Intercolonial Railway at Halifax should be increased, which, I believe, would be in the interest of the whole Dominion. As one who has had considerable to do with the Intercolonial Railway for a number of years, I can say from my own experience that the lack of those facilities militates very much against the passage of freight over that road. Shippers who send flour from the west to the Maritime Provinces over the railway lines running through the State of Massachusetts to Boston receive from them free storage for 60 days, while on the Intercolonial Railway, they must unload the cars within 48 hours, or else be obliged to pay a charge of \$2 per car per day. You can readily see that the privilege granted by the railways running to Boston, enables shippers to take out their flour as they require it, and consequently they do not have to bring in so much at once. In this connection, I may say that while the extension of terminal facilities at Halifax is very much needed, yet I think the whole policy in connection with the Intercolonial Railway needs to be very greatly remodelled. I notice by the Auditor General's report that the Government railways have cost the country \$49,000,000. I also find that the expenses on the Intercolonial Railway last year exceeded the receipts by about \$106,000. I think it is something for regret by the people of the whole Dominion that a railway that has cost us so much should not be able to pay running expenses. It is our bounden duty, therefore, to see if we cannot make such arrangements as will overcome this difficulty. I believe that if the arrangements now in existence for the carrying of freight over that railway were changed, the Intercolonial Railway, instead of having a deficit every year, would show a surplus. A week or two ago, when this matter was discussed for a few minutes in the House, the hon. Minister of Railways stated that the great difficulty was to get freight for the cars running to the sea. I always thought the opposite was the case, and I was very much pleased when I heard that statement. The hon. Minister further stated that the cars going to the sea were almost empty, and that any freights they got in that direction were almost clear profit. If that be the case, I think I can point out how, by a slight modification in the tariff now in force on the Intercolonial Railway, it can obtain such an enormous quantity of freight as will, I believe, fully make up the deficit which now exists. During the recess I interviewed a few shippers in the western part of Canada, in reference to the quantity of freight they were shipping to the Maritime Provinces by Boston, and I found that only five firms, from whom I got figures, had sent last year 1,294 car loads of flour by that route. That was a total of 161,750 barrels of flour which these five firms sent to the Lower Provinces *via* Boston, and every barrel of which would have gone over the Intercolonial Railway, had a reasonable policy been adopted on that line. Mind you, Sir, this is only from five firms. I have no means of ascertaining how much flour there is going *via* Boston, but I have no doubt this quantity, large as it is, is only a small fraction of the quantity that is going to the Maritime Provinces *via* Boston, and not only flour, but cornmeal, beans, and a great many other articles of produce. The

question is, can we not effect an arrangement whereby this flour will go over the Intercolonial Railway. It would be the easiest thing in the world to do this, and, with the permission of the House, I will just mention how it can be done. The freight from the town of Chatham to Halifax at present is 65 cents a barrel on flour; but if the party brings in 2,000 barrels in one month, he gets a rebate of 10 cents per barrel, making a net freight of 55 cents. If he brings 1,500 barrels a month, he gets a rebate of 7½ cents; if he brings 1,000 barrels, his rebate is 5 cents. If he brings 500 barrels, he has a rebate of 2½ cents, and if he brings in less than 500 he must pay the full freight of 65 cents. As I pointed out the other day the effect is that the large importers have an advantage over the small importers to the extent of 10 cents a barrel. The consequence is they cannot compete with the large shippers, over the Intercolonial, and are forced to get their flour *via* Boston. The difference in rates *via* Boston is just enough to send the traffic by that route instead of over the Intercolonial Railway. The large shipper will get his flour at 55 cents freight delivered in Halifax over the Intercolonial Railway, but he can get it delivered in Halifax *via* Boston for 50 cents, making a difference of 5 cents on each barrel of flour, which in the state of the flour market, is sufficient to induce him to bring in his flour by the cheapest route. Understand, Sir, that this difference exists only when the shipper brings in a large quantity, but if he brings in less than 500 barrels per month, the difference is 15 cents per barrel, or \$18.75 a car. I would suggest to the Minister of Railways that by a slight reduction in the rate charged over the Intercolonial Railway, all this flour would be forced over the Intercolonial Railway instead of going *via* Boston. Last year for a few months the experiment was tried, I believe, partially, at our solicitation, and that of other large millers of Ontario, and the rate on the Intercolonial Railways was reduced to 40 cents a barrel from Chatham to Halifax. The consequence was that, during the time that rate was enforced, scarcely a single barrel went *via* Boston. What I would point out to the Minister of Railways is, and I think it is in the interests of the country, that where the remedy can be applied it ought to be applied. If it was, instead of this large quantity of flour going over American roads, it will come over our transcontinental line. I do not think that the discrimination made in favor of the large shippers is at all in the interests of the community. It does not cost more to draw a small quantity than a large one in proportion, and it is not fair to the small dealer that he should be discriminated against as he has been. In reference to the freights on the Intercolonial Railway, I find, on looking over the tariff, that while a man can get his flour to Halifax for 55 cents, if he goes to Stellarton, Hopewell, New Glasgow or Pictou it will cost him 15 cents more. That is certainly not fair. Then if you go on the main line to Shubenacadia, Oxford, Moncton, Amherst, Newcastle, and as far west as Campbellton, you will find the rate to these points is 15 cents higher than to Halifax. Is that businesslike and just that men 250 miles this side of Halifax should be compelled to pay 15 cents more than is charged the shipper to Halifax? We expect different treatment from a government railway than what we would from a private company. The latter generally take every advantage they can. If they find they have no competition at certain points, they make such rates as they think they can exact from the people; but when a railway is directed, owned and controlled by the Government, we expect that railway will be conducted in a more equitable manner than other railways. In all these questions there is no reason why flour or any other produce should be carried 200 or 250 miles further for 15 cents less than to the points I have named. The Minister of Railways should take up this

matter and see that such a system is enforced as will send that traffic over our Canadian lines. It is to be regretted while we have this railway running through Canadian territory, built by Canadian people, with Canadian money, that it should not be used to carry Canadian produce from one Canadian port to another. No man who will go to the wharves at Halifax, St. John and Charlottetown can help being sorry when he sees the immense quantities of flour reaching those places through American territory. This spring, on the 1st May, there must have been 25,000 barrels of Canadian flour lying at Boston ready for transshipment to Halifax. The Nickerson line have a steamer sailing every Saturday from Boston, which is loaded down with Canadian flour; and I say that these matters are to be regretted, and I think it is in the interests of the whole people that such a system should be inaugurated as would prevent this carrying of flour and sending the Canadian traffic away from our transcontinental lines.

Mr. BORDEN. Before this item is carried, I would like to have some explanation from the Minister in regard to the rate of \$1.50 charged on eastern cars, and \$2 charged on cars going in from the west. Has he taken that matter into consideration and has he made a change, or will he make a change?

Mr. POPE. I have considered the point. I find that shunting the cars from Richmond, where the western traffic is, is more than as much again as from North street station, and that is the reason for the difference. I will say to my hon. friend, who said he hoped this was the beginning of enlarging the accommodation at North street station, that this particular item is for a flour shed at Halifax. The other matter to which the hon. gentleman referred, and to which he and my hon. friend behind me have already called my attention, is now under the consideration of the Government.

M. JONES. Where is the flour shed to be built—at Richmond?

Mr. POPE. It is to be built at North street. I do not know exactly the spot.

Mr. JONES. I am glad to hear they are doing that much, but it seems a very small amount to be charged to capital account. My hon. friend who has just taken his seat, has called the attention of the Minister to the rates on flour. If the hon. gentleman had referred to the account, he would have found in corroboration of his statement that the number of barrels of flour has decreased to the extent of 168,000 from the previous year. That is a very large item in the way of freight for a single line, and entirely corroborates the statement of the hon. gentleman. I hope the Minister will give his attention to it. There is one point here in the report of the Department to which I would like to draw the hon. gentleman's attention as well. At page 18, in the reference to the Intercolonial Railway, it says:

"A large expenditure, such as is usually charged by railway companies to capital account, but which has been charged to working expenses, has again been made this year for additions and improvements to the road and its equipment, embracing additional sidings, station buildings, semaphores and fences, and such improvements as the introduction of iron bridges, heavy rails, increased number of ties, more powerful locomotives and a modernized style of cars; this expense, together with the fact of an increased volume of through coal traffic, &c., to the west, carried at such rates as to increase the expense without a corresponding increase in the earnings, has resulted in an insufficiency of earnings to cover the amount of the working expenses by \$106,042.84."

I would like to ask the hon. gentleman if they are carrying coal over the Intercolonial Railway at a loss?

Mr. POPE. Yes.

Mr. JONES. Then the sooner you put a stop to it the better. I would ask the hon. gentleman upon what principle they are carrying coal over the Intercolonial at a loss,

and levying tribute upon the taxpayers of this country for the benefit of a particular coal mine, and are carrying other goods at a very heavy rate? I pointed this out on a previous occasion and my hon. colleague corroborated my statement, because he himself is a director in that company. What is the rate on coal to Montreal?

Mr. POPE. Three-tenths of a cent.

Mr. POPE. Well, the freight on sugar from Halifax to Montreal is \$4.40 a ton. Now, it exactly bears out the contention I have always made that, if the Government can carry other freight at the rate at which they are carrying it, they can afford to carry the products of our industries, our coal and cotton industries at St. John, Moncton and Halifax to the west, at very much lower rates than they are charging at the present time. The hon. gentleman shakes his head, but they are not carrying them at a loss, are they?

Mr. POPE. They are not making anything.

Mr. JONES. Are they carrying them at a loss?

Mr. POPE. No.

Mr. JONES. But he admits that they are carrying coal at a loss for the benefit of one industry, for it is largely the Spring Hills industry, though possibly some may come from Pictou as well. I say they have no right to carry it at a loss. If it cannot go at a reasonable rate, sufficient to compensate for the wear and tear of the road, they have no right to carry it at our expense; or, if it is to be admitted as a principle that the road is to be worked in that way, and every article that goes over it is to be carried at a loss, let us understand it, and it would be largely in the interests of those manufacturing industries which have been lately established in Halifax, St. John, Moncton, and other places along the line, which will be of a permanent character; but I protest most earnestly against such an indication as this that the rolling stock and the staff of the company are employed in carrying coal over the line at an absolute loss to the country. I hardly expected to hear such a statement as that submitted to Parliament. It does credit to the frankness of the hon. gentleman, but very little to his good judgment or to his management of public works.

Mr. KENNY. I regret to trouble the committee again, but great minds converge, and this subject of the Intercolonial Railway exceedingly interests us in the Maritime Provinces. My hon. friend has called attention to the fact that the rates charged on the product of the sugar refinery, the cotton mill and other industries of the Lower Provinces are high rates—I do not exactly like to say high rates, but rates which are at least fairly remunerative—and I think that, if possible, those rates should be lowered. Having, during the past few months, had an opportunity of looking into the charges on the railways of Canada, I find that the rates on the Intercolonial Railway as a rule are very moderate and reasonable. As regards the rate on coal, three-tenths of a cent per ton per mile, I do not know that that rate is very much under the rate charged by the Pennsylvania coal roads. The hon. Minister admits that it is not remunerative to the Intercolonial Railway, and consequently that to some extent the Treasury of the country may suffer, but we must remember that the Government of Canada are the owners of the Intercolonial Railway, and my hon. friend from Halifax will recognise, looking at this question commercially, that, if any line of railway could secure the direct and very large indirect trade which the development of a colliery on its line, which ships over 500,000 tons of coal annually, would give it, the owners would be prepared to carry that coal at a very low rate in order to secure the very large indirect trade that must accrue to the railway from the fact that the mines in Cumberland county have no important outlet except over that

Mr. JONES.

railway. Whilst the rate of the coal which is carried is very low, the Intercolonial Railway receives fair rates, at least, from the people who travel over that road, the people who are employed about that colliery, and from all the goods, provisions, &c., that these people require. I think that would be an answer to the remarks of my hon. friend with reference to the rates on coal. The hon. member for Kent (Mr. Campbell) has referred to the rates at which flour is carried to Halifax and St. John, and that higher rates are charged to points west of Halifax and St. John. But he must be aware that Halifax and St. John are competitive points. I entirely agree with him in thinking that the Intercolonial Railway should carry flour at those rates, and if it does not the freight will be diverted to Boston, and that is what we want to avoid. But the same argument will not apply to points west of Halifax or west of St. John, although the haul is shorter. It is just the difference between the long and short haul; that, in fact, is what led to the interstate legislation in the United States, which, I hope, we shall never see adopted in Canada.

Mr. BORDEN. The Minister has explained that the reason of the discrimination in the charges between the east and the west is due to the fact that more shunting is required of the western cars. Well, I do not quite understand that, when the line for thirteen miles outside of Halifax is common to the two railroads. If the agreement which was made by the Government with the Windsor and Annapolis Railway Company is being fulfilled, surely the cars should be in the same position. I cannot understand why a car coming from the west should require more shunting than a car coming from the east.

Mr. JONES. They do not; they are all in the same position.

Mr. BORDEN. They should be in the same position if the agreement is being kept. I would respectfully submit to the Minister of Railways that it is rather a small matter for the Dominion of Canada, but it is a very large matter for the individuals in the western part of the Province who are suffering by it. The cars of both lines, I am informed, come to Richmond, therefore they are at the same point and the shunting would be precisely the same. Therefore, it is plain that the western freight is not treated in the same way as the eastern freight, and I contend that an unnecessary injury is done to the western commerce of Nova Scotia, and it should be remedied at once.

Mr. MULOCK. It is to be regretted that the Minister of Railways has no answer to make to the criticisms of mismanagement advanced by the hon. member for Kent, (Mr. Campbell). He has disclosed a state of affairs indicating, I think, an entire want of regard for the general interests of the country. The old Provinces, at a vast expenditure, constructed the Intercolonial Railway for the purpose of binding the various eastern Provinces together, and to assist in developing interprovincial trade. Then, when the Dominion was enlarged, we built a transcontinental line, and we now boast of having a railway from ocean to ocean. But what is the use of having a railway from ocean to ocean if one large portion of it is so operated under this Administration as not only to injure one of the greatest interests of the Dominion, the milling interest, but also to fail to utilise, to a fair extent, the capital invested in the construction of the railway, and thus diverting the traffic to another railway and to a foreign land? And this is done by a government that has always boasted of keeping everything in Canada for the Canadians, that will not allow a railway to be built from the new Provinces in the North-West to the American frontier, for fear that some Canadian money may pass into American hands, for fear that some Canadian traffic may find its way to American territory. But in a case like this, where their interests seem involved, that a

policy should be adopted to develop intercolonial trade, the Minister not only fails to appreciate what is due to the country, but he sits in silence and has no answer to make; in fact, I doubt if he listened to the able argument of the hon. member for Kent (Mr. Campbell). I observed his indifference at the time; of course it may, to some extent, be accounted for from the fact that he is being subjected to criticism. But he and every hon. member of this House must be aware that the greatest industry of Canada, I think by all odds, is the manufacture of flour. But though all the other industries of Canada are suffering, and have been suffering for a long period of time, the flouring industry has been the greatest sufferer, and when we are told by the hon. member for Kent that the adoption of an equitable tariff, would, to a large extent, remedy a portion of that evil, surely it cannot be tolerated on the part of hon. gentlemen opposite, that they should allow that evil to continue, especially seeing that this is a paternal Government. What is the cause of disaffection in the Maritime Provinces to-day? Do we not hear complaints there that we are taxing their bread? That we are making it hard for the poor man to supply himself with the necessaries of life? Why is there discontent in the Maritime Provinces? Partly, no doubt, because we are forcing them to buy western manufactured goods. We are compelling them to buy in markets far away, when they say they can purchase to better advantage in markets nearer home. Perhaps they have arguments on their side, and if their complaints are well founded surely it is our duty as a Government to endeavor, as far as possible, to remove all possible grounds of complaint. But when it depends upon the will of a Minister, or, perhaps, of his deputy, to do justice, and try to replace this discontent, to some extent at least, with contentment, and aid, to some extent, an industry which is now suffering, and has been suffering, as the Government well know, for some time, it is inexplicable to me that this is not done, and that a fair system of rates is not established. Throughout the United States this question of discrimination has been agitated, and at last it received a temporary solution in the passage of an interstate Bill. There the great argument was, that the railway companies discriminated in various ways against localities and against individuals. What has been complained of in the United States, and what Congress has endeavored to remedy, has been going on in this country, on the part of corporations not under the control of the Government, merely, but on the part of the Government itself. The Government itself is one of the principal sinners against the people in the adoption of this unsound principle of railway rates. The hon. Minister of Railways has been charged here with demanding a higher rate to deliver goods and flour at a point two or three hundred miles easterly, than he does to deliver the same quantity of goods, under the same conditions, two or three hundred miles further away. On what principle does he charge more for hauling a short distance than a long distance, the long distance embracing the shorter distance? And on what principle does he make a rebate in favor of a man supplying 2,000 barrels of flour, when he will not make a similar rebate in favor of a man supplying a carload of flour. Whatever ground there may be for discrimination of rates, when you come to a carload, the whole people of Canada, except the railway companies, are of one mind on this point, that wherever a customer supplies a carload or more he should have the lowest rate in reward to his carload, and that discrimination should not take place except on fragments of a carload. The Minister of Railways must deal with this question if he faithfully intends to live up to his oath of office, and he must exercise the best judgment he can bring to bear upon it. This matter has gone on for years, and if he does not know—and he does know, for he is too shrewd a man not to know it—he ought to know that

this matter of a few cents per barrel on flour means a difference between millers making and losing money; and it is in his power, as I have shown here, by a small reduction in the matter of freight on flour to do a much larger volume of business, and thus the gross receipts of the railway would be much larger than if by adopting almost prohibitory rates he drives these thousands of barrels of flour away to go by a rival system. It shows a lack of business enterprise, of which I did not think him capable. I thought the Minister of Railways was a shrewd business man, who, although he does not take much part in debate, understands his business well and practices what he understands. But his declaration, which was admitted to be correct, compels me unwillingly to withdraw my confidence from him as a business man. I know it will be a matter of grief to him to learn my views in regard to himself; but I express my views in this plain way in the hope that in endeavoring to restore himself to my good judgment he may amend his way and at the same time confer a benefit on the Dominion and the various interests which go to build up this country.

Sir CHARLES TUPPER. The last subject on which I expected to hear hon. gentlemen lecture the present Government was in regard to the administration of the Intercolonial Railway, and it only shows how quickly these gentlemen lose sight of obvious facts which have engaged their attention and the attention of the whole country. It is a very curious thing that there is, perhaps, no subject on which persons unacquainted with railway management fall into such obvious errors as that of railways, as has been done by the hon. member for Kent (Mr. Campbell). What has he done? He has attacked the Government for not so cutting rates on the Intercolonial Railway as to take the traffic that has been going by Boston and other routes. That is his whole argument. His argument is not that the charge for carrying a barrel of flour is an extravagant charge, not that it has not been carried at a very reasonable rate, not that it has not enabled the flour millers of Ontario, with all this tax about which the people of Ontario are exceedingly anxious, to furnish and sell flour to the people of the Maritime Provinces at the lowest rates at which they had ever purchased it in their lives, and this notwithstanding the charge on the Intercolonial Railway and the imposition of the duty. Is there, then, anything of which to complain? If the people of the Maritime Provinces obtain, as they do to-day, flour at the lowest cost at which they ever obtained it, by Boston, by water or by any other route, is there any reason for complaints? Is there any reason to complain as regards the duty or the charges on the Intercolonial? I say there is not. The low rate at which flour is carried in the Maritime Provinces by the Intercolonial has enabled the business to be done, that valuable description of business that binds Provinces together, that links together the interests of Ontario and the Maritime Provinces, for every article sold by one Province to another, every article interchanged forms an additional link, drawing us together and giving a common interest and better information and knowledge of the various Provinces in regard to each other. I say, therefore, that this trade is most valuable. What is the argument of the hon. member for Kent (Mr. Campbell)? He says, although he does not undertake to say that the charge for carrying a barrel of flour to the Maritime Provinces is not a very low rate, that the rate might be made lower still so as to cut the rate and prevent flour going by water to and from Boston and other American ports. That is his argument. How does he sustain it? He turns around and attacks the Government for cutting rates, for doing the very thing he demands they should do.

Mr. CAMPBELL (Kent). No.

Sir CHARLES TUPPER. Yes, and I will show you how. The hon. gentleman who has just taken his seat, in his ignorance of the subject—yes, I do not profess to be able

to discuss questions of law with him, and if I did so, I would immediately exhibit my ignorance of the subject—but I am more experienced in the administration of railways than is the hon. gentleman, and he must, therefore, excuse me if, having spent several years in the study of this freight question, I should have more knowledge of the subject than an hon. gentleman who is devoting his time so successfully to the prosecution of the law. I say, therefore, that the hon. gentleman will not accept my remark as being in the least degree offensive, for it is not intended to be so. It is want of knowledge of the subject that leads the hon. gentleman to accept the argument of the hon. member for Kent (Mr. Campbell), and to claim that it is a great hardship to charge a larger amount for carrying a short distance on a road. There is not a road in the world in which we do not find that same thing done. It is the only mode by which we can administer railways successfully, and that is to charge a fair and legitimate amount for the service you perform, where you are enabled to get that charge, and where you would lose the business unless you cut the rate, also meet competition by cutting that rate to the lowest figure and thus get the traffic if you can. The Grand Trunk Railway, the Canadian Pacific Railway and the railways in the United States could not carry on their business and administer their affairs successfully for a single hour if they did not adopt that policy; and as I said before the hon. member for Kent (Mr. Campbell) while he did not characterise the charge for carrying flour on the Intercolonial as excessive he made two points: First, that rates ought to be cut so as to take away the trade *vid* Boston to the Maritime Provinces; and, second, the hon. gentleman attacked the Government for charging a reasonable rate where there was competition, and carrying freight at a lower rate per mile than where there was no competition. That is just the difficulty into which the hon. gentleman has fallen; it is the difficulty into which everyone falls who has not taken the trouble to investigate the question of railway freight. But the last subject on which I expected to hear hon. gentlemen opposite undertake to lecture hon. members on this side was with respect to the administration of the Intercolonial Railway. The member for Halifax has attacked the Government for carrying coal at a loss. If by carrying coal at a rate that does not even pay, if the effect was to build up the traffic and business between the Maritime Provinces and the older Provinces, if the effect is to produce such competition with the coal mines of the United States as will give the consumers of coal in Ontario great reduction in the price they would otherwise have to pay, the country is no loser by the course adopted. But what is the result of the management of the Intercolonial Railway? Will hon. gentlemen be surprised when I tell them that, during the fiscal years 1877, 1878 and 1879, in which the road was operated and managed by hon. gentlemen opposite, the loss on the administration of the Intercolonial Railway, the amount taxed upon the people of this country to pay for operating the Intercolonial Railway, was \$507,000 in 1876-77; \$432,000 in 1877-78; and \$716,000 in 1878-79, the last year when hon. gentlemen had the administration of the road. That is to say, Sir, that during those four years—

Sir RICHARD CARTWRIGHT. They hadn't the administration of the road in 1878-79.

Sir CHARLES TUPPER. They had the administration of the road; everything was organised, the estimates were taken and everything necessary for the work was provided. The hon. gentleman himself has always charged the administration of the year that they came into office as our administration.

Sir RICHARD CARTWRIGHT. Because we kept within the estimates and you grossly exceeded them.

Sir CHARLES TUPPER.

Sir CHARLES TUPPER. The hon. gentleman has always charged the administration of that year to us, and taking him on his own principle I charged the year to them for which they provided the administration of the road, in which their superintendent and general manager administered the road, and I say that during those three years they took out of the taxes of the people of this country \$1,645,637 to provide for the deficit on the Intercolonial Railway.

Mr. DAVIES. How much of that was for 1878-79?

Sir CHARLES TUPPER. \$716,000. But there was a million spent before the change in the administration of the road; a million sunk, a million taken out of the taxes of the people to pay for their administration of the Intercolonial Railway before the change of Government occurred, from 1876, or in two and a-half years, if you take away all the portion afterwards, although it might fairly be charged. Now, what does the other side of the account show? It shows that during the seven years of the administration of this Government, the entire amount of net deficiency for the Intercolonial Railway, instead of being \$1,645,000 in three years, as it was under hon. gentlemen opposite, was only \$246,000. Now, Sir, if anything could close the mouths of hon. gentlemen opposite; if anything could induce them to avoid a discussion of the question of the administration of the Intercolonial Railway, it would be the facts as they stand on this page of the history of the country, in a way in which they can be read by everybody. I say, therefore, I am very much surprised that hon. gentlemen opposite, in exercising their legitimate right to criticise these estimates, and discuss all these interesting public questions, should not have carefully avoided that as a rock upon which they must inevitably be wrecked, if they come in close proximity to it. I say that for the first year of our administration, the first year after we took it in hand, after we had reformed the administration of the railway, it showed a loss of \$97,000 instead of \$716,000, and the second year a gain, and the third year a gain, and the fourth and fifth years a gain, so that instead of being a loss there was a slight balance on the right side of the ledger; and if, under these circumstances which have been adverted to, the great difficulties which have been encountered, owing to the extremely unfavorable seasons, there should be a comparatively small loss, I do not think it is a question which should excite the anxiety of the House at all, but one which may be regarded as still presenting a most interesting and favorable contrast as compared with the administration of the Intercolonial Railway by hon. gentlemen opposite. I did not intend to say a word on the subject, but when I found an elaborate attack made on the railway administration of this Government, and when I know, as I do, that if there is one thing upon which this Government can claim the confidence of the people of this country more than another, it is the success which has attended the management of the Intercolonial Railway, I felt bound to take the opportunity of placing these figures fairly before the House.

Sir RICHARD CARTWRIGHT. The hon. gentleman must presume exceedingly on the ignorance of the House when he dares to talk of the advantages which have resulted from the management of the Intercolonial Railway. Now, in the first place, there could not be a more unjust, a more disingenuous, or a more dishonest comparison than that which he makes between the Intercolonial Railway under the Administration of my hon. friend Mr. Mackenzie, when that road had been barely completed, before there was the smallest chance of developing traffic upon it, and the road as it is now, after nine or ten years. The hon. gentleman talks about a net deficiency of \$246,000, as contrasted with a net deficiency, as he stated, of \$1,700,000 in three years, under Mr. Mackenzie's management. Turn to the Public Accounts and you will see that Mr. Mackenzie

left the capital account closed at \$36,000,000, and this hon. gentleman has a capital account of \$46,000,000—ten millions of dollars added in eight years to the capital account of the Intercolonial Railway! And he presumes to talk to us of his wise and economical administration of that road. I take these accounts here, and I say they are a fraud, every one of them. Here we have \$404,000 charged to capital account of the Intercolonial Railway—\$318,000 for rolling stock, \$12,500 for Servis' tie plates, \$500 for a coal shed at Amherst, and other things of that kind. I say there never was a more impudent statement made than the statement which is made by his friends and himself, in the Public Accounts, of the supposed profits, forsooth, they made in operating the Intercolonial Railway; a profit of \$100,000 in one year, a profit of \$20,000 in another, with a capital charge of two, three, one and a quarter, and another one and a quarter millions, or, in eight or nine years, ten millions added to the capital account of this road. Why, Sir, the interest and the sinking fund of the Intercolonial Railway is \$450,000 a year for that alone, and I venture to say that during those eight or nine years, if you computed it, you would find probably one and a quarter millions for interest alone, over and above what was expended in Mr. Mackenzie's time. Now, I say that is a most delusive and a most dishonest mode of making comparisons. I say the hon. gentleman all through has been guilty of very gross offences against the public interest, by his consistent and persistent practice of charging large sums of money, as you can see for yourselves he is doing, in this way to the charges on capital account of the Intercolonial Railway. You cannot possibly pretend that you are administering this road honestly and fairly, when you find these charges are being placed to capital account for perishable articles. Now, one thing is very noticeable. Here we have evidence admitted by these hon. gentlemen that important branches of their trade are being operated at a loss, and we find on and for the benefit of that trade he has operated at the loss of hundreds of thousands of dollars on rolling stock, for the last few years. Is that economy and good management? And what is most unfair is this, that, as the hon. gentleman knows quite well, Mr. Mackenzie could not—no man could—expect, the moment a road of that character was completed, and running through a sparsely peopled country, to develop the traffic. With all railroads that I know anything of, it has always been expected that some time should be allowed, after the road is completed, before the traffic can be developed. But the main point to which I call the attention of the House is this, that all these comparisons are fallacious and dishonest, because they take no account of the enormous additional charge, amounting now to \$450,000 a year for interest, on capital sunk by that hon. gentleman since Mr. Mackenzie's time. Take that into account, and the Administration of my hon. friend stands justified from the Public Accounts the hon. gentleman has referred to, and justified as few other Administrations have ever been.

Sir CHARLES TUPPER. The hon. gentleman is entirely mistaken if he supposes that he can mislead either this House or this country by such a statement as he has made. He knows perfectly well that the administration of the Intercolonial Railway by myself was challenged by my predecessor, the hon. member for East York (Mr. Mackenzie), and that year after year, on the floor of this Parliament, I vindicated that administration, and showed that the accounts of the Intercolonial Railway were kept by the same officers and in the same manner that they had been under his management. Not only that, but I brought evidence from the Grand Trunk Railway and other great lines of railway in Canada, all of which showed that the accounts of capital were kept by them on precisely the same principle as they were kept under the administration of

Mr. Mackenzie, and under my own. Now, the hon. gentleman says the road was just being completed at the time they were managing it. Why, that gave them this great advantage, that everything they wanted for the road was charged to capital account, and they had not the disadvantage that we have had year after year of having to maintain old rolling stock which has been deteriorated by use, and which requires a much larger amount to keep it up than was required when the rolling stock was new. I say this question was fought out fully, and the criticisms of the hon. gentlemen were analysed for years. Take up the *Hansard* of the last few years of my administration of the road, and you will find that Session after Session passed by almost without question, after this battle had been fairly fought out, and after it was shown to the House that the accounts of the road under our management was precisely the same as it was under theirs, that nothing they had not charged to capital account had ever been charged to capital account by us. I am not speaking of the late Government or the present Government only; I am speaking of the principle of keeping accounts followed by every railway company. In the first place you charge to capital account all that the construction of the road costs—the station buildings, wharves and everything else that is necessary to put the road in complete and efficient order, and you charge all the rolling stock that is required to perform the business of the road. You then charge to revenue all that is necessary to maintain the track and the rolling stock in good condition; but the moment that a large increase of traffic demands a large additional outlay for new rolling stock, every railway company charges that to capital account; and when, from the time we took charge of the Intercolonial Railway down to the present hour, the traffic has gone on increasing steadily year after year until it has more than doubled, and new rolling stock was required to accommodate that increased traffic, where does the hon. gentleman suppose we should get the money necessary to provide for this great volume of traffic, but from capital? Does the hon. gentleman mean that we should not furnish the rolling stock that is necessary to handle all the traffic we can get? He will hardly say that. He will hardly say that, after the enormous sum of money which has been spent in constructing the Intercolonial Railway, it is not the duty of the Government to provide all the rolling stock that is necessary to meet the demands of the increasing traffic of the country. Therefore, I need not, as he has done, deal in strong language—language which I think went a little beyond the bounds of ordinary parliamentary discussion, but for which I excuse the hon. gentleman in view of the very difficult and embarrassing position in which he finds himself. There was nothing in the fair, and legitimate, and candid argument that I put before the House to warrant him in using terms which I think, if the Speaker had been in the Chair, would hardly have been permitted to pass. But I admit that the hon. gentleman had a weak case, and that it had to be bolstered up by strong language, and I excuse him on that account. But I ask him, in all candor, whether he thinks that the expenditure for the purchase of the Rivière du Loup branch and the expenditure necessary to put it in efficient condition, can fairly be charged against me as having been wasted in connection with the Intercolonial Railway, and improperly charged to capital account? Is not that part of the \$10,000,000? And yet he led the House to believe that all this money was sunk in the administration of the road. Not a dollar of it was sunk in the administration of the road. From the day we took charge of the railway the only money sunk in the administration of the road was \$246,000 in seven years, against \$1,646,000 which our predecessors ran behind in the three years of their administration. In every other expenditure we followed the same policy that was pursued by hon. gentlemen opposite; and the hon. gentleman cannot

show a single dollar expended for the purpose of providing for the administration of the road, that is not a legitimate charge against capital account, just as in their own case. As I said on a former occasion, the country ought to be only too glad to have the Government come here and ask for an increased appropriation, charged to capital account, to provide for the increased traffic which was growing up. There can be no greater satisfaction to the people of this country than to know that having expended such a vast amount of money in the construction of that road, it is doing that for which it was constructed, so developing the country as to make it right and proper for the Minister to come and ask Parliament for an increased appropriation to provide for the increased traffic.

Sir RICHARD CARTWRIGHT. The hon. gentleman was so very mild, candid and moderate in his own language that no doubt he is justified in going out of his way to make an attack on the Administration of Mr. Mackenzie.

Sir CHARLES TUPPER. I did not do that. I was defending the Government, and not making an attack.

Sir RICHARD CARTWRIGHT. The fact is Mr. Mackenzie and myself, having fully considered the subject, and seeing clearly that there was no possibility of administering the Government road without exposing the country to the very considerable danger of being dragged into an unnecessary expenditure, put an end to the capital account, and the hon. gentleman is quite misinformed, and has misinformed the House, when he states that Mr. Mackenzie charged to capital account all the items which the hon. gentleman has placed to that account. Now, the fact is this: that my hon. friend, in carrying out the rules which he laid down for himself, made a very large amount of charges to income which he would have been perfectly justified in charging to capital account. If the hon. gentleman will look, if his memory has failed him on that point, he will find that when my hon. friend substituted steel rails for iron, a very important change, largely conducive to the benefit of the road, he charged a large portion of that to income.

Mr. JONES. \$800,000.

Sir RICHARD CARTWRIGHT. \$800,000, or about \$1,250,000 of this extra expenditure, taking the amount which was legitimately chargeable to Mr. Mackenzie's Administration, were caused, my hon. friend tells me, by the substitution of steel rails for iron. There is a proof exactly in point. The reasons which led us to adopt that course were very clear and sound. In an ordinary railroad, the process of which the hon. gentleman speaks may go on, they may never close their capital account, and I believe they never do, and I know, and the hon. gentleman knows, that it is a constant ground of complaint by shareholders of railways, that the keeping of this capital account as an open account is very often abused by directors and persons in authority, for the express purpose of throwing dust in the eyes of the shareholders, who, in this case, are the people of Canada, and by millions of dollars of charges to capital account concealing the fact that the railroad very often is worked at a loss. The hon. gentleman cannot pretend, and has not pretended, to deny the fact that whereas the capital charge for interest in Mr. Mackenzie's time was roughly about \$1,750,000, the capital charge to day is quite \$2,250,000. What he says may be true enough in some respects, but it does not destroy the fact that our charge for interest sunk in this Intercolonial Railway is nearly \$500,000 to-day more than it was when Mr. Mackenzie went out of office, and that, in any ordinary railroad, it would have produced an annual deficit of \$500,000. After spending all this money purchasing all these additional pieces of road, after spending huge sums for this additional rolling stock and charging it to capital

Sir CHARLES TUPPER.

account, you would still have a net deficiency to-day of more than \$500,000, not taking into account charges of management at headquarters which must amount to a considerable sum of money. Those are the points to which I called attention. They have not been and cannot be met, and there ought to be for that reason a great difference between the charges on a government and the charges on an ordinary railway. Mr. Mackenzie had deliberately decided for that reason on making future charges for rolling stock which might be required, to revenue account. I do not gainsay the point that the rolling stock might be required, but I told the hon. gentleman that Mr. Mackenzie had decided to charge it to the annual outlay from year to year for the reason I gave, that unless it was charged to income, the House and the country behind it was in great danger of being thoroughly deceived as to the real cost of working the railway. Nothing is easier in a road like this, having an immense amount of rolling stock, when for certain reasons it is convenient to make a good showing before the House and the country at election time, and that rolling stock has become depreciated—nothing is easier than to take a large vote of several hundred thousand dollars and use it where the money will go far to propitiate electors, who are interested in seeing car works companies or other companies getting orders, and then, by charging the expenditure to capital account, the hon. gentleman and his predecessors could avoid the imputation of having swollen the annual expense to the people. But the whole of it does not in the slightest degree touch the main fact, that, so far as the interest account is concerned, the annual charge—because neither in the hon. gentleman's nor the hon. Mr. Mackenzie's time has this road paid any portion of the interest charged on its capital—the annual charge on the capital is nearly \$500,000 a year now more than it was in Mr. Mackenzie's time. Therefore there is to-day an annual deficit of more than half a million dollars, after hon. gentlemen opposite have had ten years to operate the road and develop its traffic, and after all this money has been sunk. That is a fair, candid, mild, moderate mode of stating the case, if the truth be known. So far from its being the case that the hon. gentleman's contentions were allowed to pass undisputed in this House, Mr. Mackenzie, while he had strength and voice left, never failed to challenge them, and the late Speaker, Mr. Anglin, never failed to controvert them, and I have always taken exception to the hon. gentleman's mode of keeping the accounts and in particular to the facts that he ever took in consideration the additional charge for interest which was laid on the people and paid for out of their pockets, year after year, by reason of large additional amounts sunk in capital account.

Sir CHARLES TUPPER. No person can regret more deeply than I that the hon. member for East York (Mr. Mackenzie), is not in the possession of that strength and vigor that enabled him always to defend the administration of the Intercolonial Railway, or the manner in which he discharged his duties in any other respect. No person can regret it more deeply than I, and I would be very unwilling to be supposed to make, in the slightest degree, any attack on that hon. gentleman. I did not, and I am not attacking that hon. gentleman. I stated simply, in defence of the Government, when the administration of the road was attacked, the facts, and I contrasted the administration of the road under hon. gentlemen opposite with that under hon. gentlemen on this side. The hon. gentleman says that Mr. Mackenzie had determined to close the capital accounts. I understood him to say that. I would like to ask him then where the money was to come from to do what the hon. gentleman behind him (Mr. Jones) told us, if Mr. Mackenzie had not gone out, he was going to do, namely, to carry the railway away down to Water street, in Halifax, which we

subsequently had to do at a very large expense in order to find a water site for the terminus?

Sir RICHARD CARTWRIGHT. He could have charged it to income; it would not have cost us any more.

Sir CHARLES TUPPER. Does the hon. gentleman mean to say that any Government, or that any person who ever had charge of a railway, would have charged such expenditure to income?

Sir RICHARD CARTWRIGHT. They might.

Sir CHARLES TUPPER. What good would it do to charge it to income, with a deficit in revenue of \$750,000?

Sir RICHARD CARTWRIGHT. That was yours, not Mr. Mackenzie's.

Sir CHARLES TUPPER. The hon. gentleman seems to forget that it makes no difference; the interest would be the same.

Sir RICHARD CARTWRIGHT. Then what harm would it do?

Sir CHARLES TUPPER. The interest would be the same. I ask the hon. gentleman whether, if he had remained in power, he would have allowed the grass to grow on the Intercolonial Railway, if he would have refused to do the business of the country? No, he would say at once. He would say that he would develop the traffic of the country, as he would be bound to do, by every means in his power, and that he would prepare to handle that traffic by every means in his power. He would be bound to do that. Then I say, as you have no surplus against which you can charge the money which is required, what possible difference does it make in the interest? Is not the interest the same? If it had gone to swell the deficit year by year, would not that swell the interest in the same way? Does it make any difference at all?

Sir RICHARD CARTWRIGHT. I think it does, as I will explain to the hon. gentleman presently.

Sir CHARLES TUPPER. I do not think it does. The accounts of this road are kept—and I think the hon. gentleman has conceded that—as railway companies are accustomed to keep their accounts, and I established that in the discussion I had with my hon. predecessor and with the hon. gentleman, and I think the question rested very much upon that discussion, because, practically, nothing more was said on that subject. We had that very fully discussed. I brought the evidence from other railway companies, and showed how they kept their accounts, and I understood that that was held practically to settle the question. But what I want to put to the hon. gentleman is this: Not a single dollar has been expended that has not been demanded in order to maintain the road, and provide for the additional traffic that has grown up in the administration of the road, and that has required to be handled. Therefore, I say, as that money has been required to be furnished, providing the road was to perform the purpose for which it was constructed, it does not make the slightest difference to the country whether it is charged to revenue or capital, so long as you have no revenue account, no surplus from revenue account, from which to deduct it. I will take the Grand Trunk Railway Company, I will take the Great Western Railway Company, I will take any railway company, and the hon. gentleman knows that if they require a large additional capital for new rolling stock, or for any new work along the line of road, or to make connections or branches or anything of that kind, such as has been required in connection with the Intercolonial Railway in order to bring traffic to it, the shareholders, the stockholders, the managers must issue new stock or must raise a new capital account from which to get the money if they have not got

a surplus revenue from which to draw it. So it is after all the same thing.

Sir RICHARD CARTWRIGHT. No, I cannot admit that it is after all the same thing.

Sir CHARLES TUPPER. I think so. It does not affect the question of interest the country pays, the money the country pays. It has to be paid in the one case or in the other, and it makes no difference. I show the hon. gentleman in the first instance that the administration has been the same, that the same charges had been made against capital account under the one Government and under the other, under both Governments alike; and I show him in the second place that it is practically a matter of indifference whether it is charged to one account or the other, so long as the money has to be provided by the country.

Sir RICHARD CARTWRIGHT. In one sense, no doubt, the hon. gentleman is right. What money is really requisite to carry on the necessary works of the road will have to be paid by the country, and he is right enough in stating that, whether you charge it to income or whether you charge it to capital, what is really necessary will, in the long run, come out of the same pocket. So far he is right.

Sir CHARLES TUPPER. That is the whole question.

Sir RICHARD CARTWRIGHT. No, that is not the whole of the question by any manner of means. The reason which was assigned by Mr. Mackenzie, which was assigned by him particularly at my instance, I may tell the hon. gentleman, is this: We know by experience—and every man of common sense who considers the question will see the force of the argument—that, unfortunately for itself, no House of Commons cares anything like as much for the sums which are spent on capital from year to year as for the sums which are charged to income. It is a misfortune. It is a very great error, I have often thought, that the House was so indifferent as to the large sums which are put to capital in comparison with the charges which are put to income. And I do not allege that is peculiar to gentlemen on one side of the House more than to gentlemen on the other.

Sir CHARLES TUPPER. Hear, hear; no doubt that is so.

Sir RICHARD CARTWRIGHT. But it is desirable for that reason that, in working a Government railway, as soon as you can, or if you possibly can, you should close the capital account in order to concentrate the attention of the people on the way in which the railway is worked. The railway will be worked more economically, it will be better attended to, more attention will be given by the House, more attention will be given by the officials and by the Government, if you are compelled to come down for a charge from year to year which will go against the ordinary income of the year; and that was the reason which induced my hon. friend to advise in his Department the closing of the capital account. That was the reason, and it is a very good reason. In one respect, my hon. friend did take caution and make an exception. He stated, and, as the hon. gentleman alluded to it, I will say that that is one point on which an exception does exist—that, if it was necessary to construct a considerable additional portion of railroad—not a siding or a small piece of work of that kind, but a considerable additional portion of railway—that, being in the nature of an entirely new work, would warrant the re-opening of the capital account; but, with that exception, we had decided to close it altogether. And I think that the fact that such an enormous addition has been made since his time to that capital account, and that it has attracted so very little attention in the House, and that nobody has apparently paid the least attention to the fact that our charge for interest on the capital of the Intercolonial Railway has increased

by half a million since his time, is the best proof of the substantial wisdom of Mr. Mackenzie's decision.

Mr. MULLOCK. The Minister of Finance in pointing out how imperfectly I was informed in relation to this matter, appeared to imply that he was so superior, and, indeed, in his own judgment infallible, an authority that the conclusion he arrived at was absolutely right, and was supported by all the authorities. I did not profess to speak, nor do I now, on any authority of my own, but I gave the authority of persons who are better versed, perhaps, in this question than either he or I. The Minister of Finance has been so long connected with the operation of railways, that he has come to look at the railway policy from a railway standpoint alone. Therein, I think, is his weakness. I think his long dealings with railways has rather rendered it difficult for him to view the question impartially in the interests both of the railways and of the public. I am not in favor of any unjust laws against the railways, but I am in favor of what will be both just to them and fair to the public. When I advanced the view I did, I did so, as I stated before, on the authority not only of public opinion, but of the action of the United States Congress in dealing with the matter. We have had limited dealings with railways compared with our neighbors to the south of us. Their system of railways is manifold greater than ours, and the difficulties we have here they have had there, and the very question which has been under discussion, which was so ably brought out by the hon. member for Kent (Mr. Campbell), has revealed a state of things here which has been recently dealt with in the United States. The hon. the Minister of Finance, in giving his version of what was right, took a ground which I extremely deplore to have understood as his attitude and, I presume, that of the Government. He affirms that the present system of operating railways, discriminating in all its viciousness, meets with his approval. That is the attitude which he, as the leading member of the Government, takes in regard to this question. He will not, I think, find the country with him on that question, and particularly that portion of the people who are so deeply interested in the carrying trade—I refer to the first producers, the farmers of the country. The manufacturers, as a rule, locate at points where competition can be obtained. The farmers have no such advantages, and as a rule their freight is carried from non-competitive points, and as a rule they suffer all the disadvantages and all the injustices which are the outcome of this system which the Minister of Finance approves of. I will just trouble the committee by reading section 4 of the interstate Bill which received the sanction of Congress on the 31st January last. Section 4 says:

"That it shall be unlawful for any common carrier, subject to the provisions of this Act, to charge or receive any greater compensation in the aggregate for the transportation of passengers or of like kinds of property under substantially similar circumstances and conditions for a shorter than for a longer distance over the same line in the same direction, the shorter being included within the longer distance,"—

That is the case complained of by the hon. member for Kent (Mr. Campbell)—

"but this shall not be construed as authorising any common carrier, within the terms of the Act, to charge and receive as great compensation for a shorter as for a longer distance."

And then follows the proviso that, under special circumstances, the commission may give a dispensation from that enactment. That is now the law in the United States; it is in full force there. Are all the wise men, all the experienced men, of the United States wrong, and is the Minister of Finance right? This is the principle which the hon. member for Kent is asking for. I will read the proviso:

"Provided, however, that upon application to the commission appointed under the provisions of this Act, such common carrier may, in special cases, after investigation by the commission, be authorised to charge less for longer than for shorter distances for the transportation

Sir RICHARD CARTWRIGHT.

of passengers or property; and the commission may, from time to time, prescribe the extent to which such designated common carrier may be relieved from the operation of this section of this Act."

Section 3, which meets the case of the complaint, further says:

"That it shall be unlawful for any common carrier, subject to the provisions of this Act, to make or give any undue or unreasonable preference or advantage to any particular person, company, firm, corporation or locality, or any particular description of traffic, in any respect whatsoever; or to subject any particular person, company, firm, corporation or locality, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever."

There the United States say that a locality should not be put to a disadvantage because of its position. The Minister of Finance says that it shall. He says that it is, in his mind, the right policy to handicap a town where there is but one railway, and that railway, according to his doctrine, may charge all that it can exact according to the laws of trade. Now, I do not agree with him, and I do not think that a large portion of the country will agree with him in that doctrine. If there is one portion of the people that have been suffering from legislation since I have been observing the action of this Parliament, if there is a class of people that has on all occasions suffered from the effects of legislation passed by this House, it has been the farming community. They suffer upon all occasions. If it is a matter of tariff, they suffer; if it is a matter of legislation, they suffer; and when now it is being asked to relieve them to a certain extent, by even carrying the outcome of their produce at a slight reduction, it is denied. Why, we maintain, it would not be unreasonable if the Government, for the sake of producing harmony throughout the Dominion, should carry their produce at a less rate. There are two distinct points involved in the consideration of the work of the Intercolonial Railway: one is, whether it is to be operated as a strictly commercial enterprise; the other is, whether it is to be operated as a public work in the general interest of the country. The two are not altogether, perhaps, reconcilable, but still, I believe that, by a liberal policy, by developing largely the trade of the country, the Government would not be great losers; on the contrary, they would stand a chance to enlarge the volume of trade which they now lose in consequence of the high freights. They may now get higher rates than they would otherwise, but the net profits are less than they would be under a more liberal policy. Under these circumstances I think it is to be deplored that the Government have taken this stand upon this question. They have come to a conclusion which I think public opinion will reverse when the opportunity presents itself.

Mr. DAVIES. The Minister of Finance has shown himself a skilful general in coming to the rescue of the Minister of Railways and changing the entire argument, as, instead of answering the argument that was presented to the House to-night, he covered up his retreat in a great cloud of words, and by making a counter-attack upon the management of the railway under the late Mackenzie Administration. I think that on that branch of the case he has received a complete answer from the member from South Oxford (Sir Richard Cartwright), an answer which, I think, will hardly justify a production of these charges again in this House. But, while it may have sounded very fine to some new members, those of us who have had the pleasure of sitting here the last four or five years, remember that the statements made to-night by the hon. Finance Minister are simply repetitions of the statements he has made every year since I have been in the House; and every year he has had his answer in the same line that he has got it to-night. I am satisfied that the answer which has been made to him is a complete answer; but I think that the importance of the question brought before the committee by the hon. member for Kent (Mr. Campbell) deserves a little more from the

Minister of Railways than the contemptuous silence in which he has seen fit to treat it.

Mr. POPE. The hon. gentleman has a great faculty for getting up and calling hard names. I tell the hon. gentleman I will not be treated in that way by him.

Mr. DAVIES. I say that the statements made by the hon. member for Kent were of a serious character, quietly and sensibly delivered, statements which challenge and demand a reply from the gentleman who has charge of the Department of Railways.

Mr. POPE. I think I know my business as well as you do.

Mr. DAVIES. Well, he may treat the statements with contemptuous silence, but the country will demand an answer to them. I have seen the hon. gentleman before now try to get through his estimates by sitting quietly by, hoping that no reply would be required. I admit that when old political charges are revived, he has a right, if he chooses, to treat them with silence, but when charges of a serious nature have been made, he has a duty to perform to this House and this country which he has failed so far to perform. The first statement on which the hon. gentleman based his charge was that he found there was a deficit of \$106,000 last year in working the Intercolonial Railway. But that is not all. That does not embrace the Eastern Extension branch; there is \$24,000 out of a deficit on that branch besides. But leaving that out of the question, and confining myself to the statement brought forward by the hon. member for Kent, I say that it justified him in occupying the time of the House for an hour or so, on the ground that we found this great Intercolonial Railway running now at a large deficiency, and he said it behooved us to look into the question and find the causes. Were they political or did they lie in the management of the road? He thought that he discovered that they did lie in the management of the road. He says that road had a competing line. There was the all-rail line to Halifax and the Maritime Provinces, and there were the roads that run to Boston, and the water line by steamboat from Boston to Halifax and Charlottetown; and the question was: Are we getting the natural carrying trade we ought to have, or were we allowing that traffic to go by rail to Boston and then come back to Charlottetown and Halifax? He showed that by the rates, which you have fixed upon the Intercolonial Railway for flour, there is a difference between western Ontario and Halifax of 5 cents per barrel, a sufficient difference, he said, speaking as a large dealer in flour, to throw the whole traffic upon the American line. That required an answer. The hon. Minister of Finance does not answer it by referring to the general results in the management of the road under his time, as compared with the management under Mr. Mackenzie's Government. That has nothing to do with this point. Why is not flour carried as cheaply over the Intercolonial as it can be carried round by way of Boston? They tell us that the cars go down empty; why not have them full? It is not a question of discrimination of rates to which the hon. member for North York (Mr. Mulock) referred, that was not the only point, or the chief point, adduced by the hon. member for Kent (Mr. Campbell). His point is that the cars are going down empty; you can get them filled and make larger returns if you only carry flour at the same rate for which it can be transported by way of Boston. Speaking from a provincial standpoint, the case of Prince Edward Island is still worse. I find that flour can be carried from western Ontario to Boston for 38 cents per barrel, from Boston to Charlottetown, 16 cents, with insurance, 2 cents; making 56 cents as the cost of landing a barrel of flour from western Ontario at Charlottetown. What is the cost by the Intercol-

onial? From western Ontario to Pictou Landing 65 cents, from Pictou Landing to Charlottetown 7 cents, or 72 cents. There may be some explanations to be given; I am not prepared to say there is not; all I complain of is the silence with which the hon. gentleman treats these statements. We have a right to know the reason why that road had been worked at a loss of \$106,000 in a year, and why when an hon. gentleman points out what seems to be a reasonable method of making up that loss, he fails to obtain an answer from the hon. Minister. More than that, the different rates make a difference of 16 cents per barrel or \$20 per carload. The hon. gentleman is aware that by the regulations of the Intercolonial Railway if an importer takes 2,000 barrels per month into Halifax he obtains a certain allowance. That allowance does not extend to flour, which comes to Pictou Landing. Why? There are from 150,000 to 152,000 barrels of flour sent to Prince Edward Island, but the importer of 2,000 barrels a month does not get the same rebate as the importer does at Halifax. I cannot understand why these discriminating rates exist, and to my mind the committee is entitled to an explanation of this point by the Minister.

Mr. JONES. It was in anticipation of some discussion similar to that which is going on this evening, that I moved for a return of the expenditure on capital account on the Intercolonial, and I had entertained the hope that it would have been brought down before this time, because we could then have had before us grounds on which an argument on either side could have been based or sustained. I trust that this return will be brought down as soon as possible, so that it may be referred to at some subsequent stage of the debate, and we may see exactly how the expenditure has been made. My hon. friend in front of me, referring to the expenditure on capital account under the Mackenzie Administration, referred to the amount Mr. Mackenzie charged for working expenses. When it was necessary to place steel rails instead of iron rails on the Intercolonial, \$800,000 which were invested, was charged by Mr. Mackenzie to working expenses. There was also the expense of widening the track, which Mr. Mackenzie also charged to working expenses. If it was proper under Mr. Mackenzie's Administration, to charge such item to working expenses, the Minister of Finance could hardly justify some of the explanations made by him with respect to capital account. But the hon. gentleman justified the expenditure on the ground of the enormous traffic, as he was pleased to call it, on the Intercolonial, an increase, which he said, had been so rapid as to demand from this House a yearly appropriation for additional rolling stock. Let us look at the return for a moment. I find as long ago as 1882-83, the earnings of the Intercolonial were \$2,370,000; 1883-84, \$2,353,000, or \$17,000 less; 1884-85, \$2,368,000 or \$2,000 less; 1886, \$2,383,000 or an increase of \$13,000. Referring again to the increase in the number of tons of freight carried, I find the following: 1883-84, 1,001,000 tons; 1884-85, 870,000 tons, or a reduction of 30,000; 1885-86, 1,008,000 tons, an increase over the previous year of 7,000 tons. I submit that these tables which are brought down here as an indication of the expansion of trade over the Intercolonial, do not warrant the extravagant language which the Minister of Finance has used with respect to the expansion of trade over that public work. If the hon. Minister requires a vote for rolling stock to meet the vast increase in traffic, I am not sufficiently familiar with railway management to deny that it might not be a correct appropriation to charge to capital account; but, so far from increasing, there seems to have been in the previous year a falling off, and in this year a very small increase. And this very small increase does not justify the position taken by the Minister of Finance that they require a large appropriation of money for rolling stock, to meet the enormous increase of traffic over the road. I think the hon.

gentleman is hardly justified in that view in the language used with respect to the appropriation.

Sir CHARLES TUPPER. I desire to show the hon. gentleman that the statement I made with respect to freight cannot be impugned. The number of tons of freight carried on the Intercolonial was as follows:—1876, 6,221,758 tons; 1878, 7,883,472 tons; 1885, 14,659,271 tons; or more than double the quantity of freight carried in 1876. So that continuously down, as I have stated, there is a gradual increase. In 1880 it was 9,000,000 tons, in 1881, 12,000,000; 1882, 13,000,000, in 1883, 13,000,000; 1884, 13,712,000; 1885, 14,659,271 tons.

Sir RICHARD CARTWRIGHT. What is the cause of the difference between the two tables? This is an official table from which my hon. friend quoted?

Mr. JONES. What are you quoting from?

Sir CHARLES TUPPER. The official abstract in the office.

Mr. JONES. How many millions does the hon. gentleman say?

Sir RICHARD CARTWRIGHT. You must be calculating on a totally different basis.

Sir CHARLES TUPPER. That is from the blue-book, and I have now the official record in the office, and it shows: 421,327 tons in 1876-77; 522,710 tons in 1877-78; 510,861 tons in 1878-79; 561,924 tons in 1879-80; 724,577 tons in 1880-81; 838,956 tons in 1881-82; 970,661 tons in 1882-83; 1,001,163 tons in 1883-84; 970,069 tons in 1884-85, and in 1885-86 they carried 1,008,345 tons against 421,327 in 1876-77, and 510,861 in 1878-79, or more than double the quantity in 1876-77, and nearly double the quantity in 1878-79.

Mr. McMULLEN. Can the hon. gentleman give us the figures showing the quantities carried by the Grand Trunk Railway in the same years?

Sir CHARLES TUPPER. Not at this moment.

Mr. McMULLEN. I think you will find that the increase was fully proportionate to that.

Sir CHARLES TUPPER. I should expect it to be so, and I should be surprised if it were not. Such has been the increasing prosperity of Canada, such has been the development of the country that I should expect a large increase. The table from which I have just quoted gives the total of the railways, and there it is seen that the increase in the whole of the railways of Canada alike shows the enormous development of the country and the enormous increased business upon the railways of the country—one of the best evidences that could be given of the development of Canada.

Sir RICHARD CARTWRIGHT. If the hon. gentleman will consult some of the statistics to which I referred him, he will see that the population of the rural districts in Canada increased between 1872 and 1878 six times as fast as it has increased between 1878 and 1887, and if mere increase of rates is a proof of anything, the rural population on that showing would have been six times as prosperous as they have been during the latter of the two periods.

Sir CHARLES TUPPER. I know how unpleasant it is to the hon. gentleman, and how much he suffers from anything which shows the increasing progress and prosperity of Canada that it was almost with hesitancy that I offered such evidence as I have been able to give to the House.

Sir RICHARD CARTWRIGHT. The hon. gentleman will notice that he has confirmed the statement of my hon. friend that within the last four years the increase has been utterly insignificant—that between 1883 and 1886 it has apparently only been from 1,001,000 to 1,008,000. How

Mr. JONES.

many millions has he added to the capital account in that interval?

Sir CHARLES TUPPER. Not more than in proportion to the work done.

Sir RICHARD CARTWRIGHT. Much more, I think, than the difference between those amounts.

Mr. CAMPBELL (Kent). At this late hour I shall only take a few minutes to address the committee. I think, however, the hon. Minister misrepresented my argument altogether, for I never advanced such arguments as he alleges I did. I found, from the public documents which are laid before this Parliament, that a railway which has cost us nearly fifty millions of dollars, was run last year with a deficit of \$106,000, and I pointed out, in my own way, how I thought these matters could be remedied. I said I thought there was not an hon. gentleman in this House but would regret that such a state of affairs existed. I am sure the Minister of Finance would like to see a good surplus on the workings of the Intercolonial Railway. I said to the House that only five millers in the western part of the country shipped to the Lower Provinces, by Boston, no less than 161,000 barrels of flour, and I stated that, if the facilities which might be granted on the Intercolonial Railway were granted, every single barrel of that flour would have gone over that road. I do not find any fault with the Intercolonial Railway for cutting their rates at Halifax, as the hon. gentleman stated they did. I said that while it was the policy of the Government, as they claim, to keep Canada for Canadians, in the Railway Committee the other day we disallowed no less than six charters of railways that were asked to be granted in the North-West Territories, and why were they refused? Because as hon. gentlemen said they might take some traffic away to the American roads. Although there were four American railways tapping at the doors of the North-West Territories for admittance, and although the people, without a dissenting voice, were demanding and petitioning this House to grant them the accommodation they required, hon. gentlemen in their wisdom saw fit to disallow those charters, because, as they said, they would take away traffic from Canadian lines, while here was an instance in which there were hundreds of thousands of barrels of flour and other freight going away from our Canadian lines over American territory which should go over Canadian lines, and that was the reason I brought the matter before the Finance Minister. I do not bring it forward in a spirit of partisanship. As a matter of fact it does not make a particle of difference to me whether I send that flour over the Intercolonial Railway or *via* Boston. If I can send it cheaper *via* Boston I am going to do it, but while we have that Canadian road, built with Canadian money, and running over Canadian territory, we ought to be able to make such arrangements, such a tariff of rates, as would send the traffic over that road and not *via* the United States roads. I pointed out to the Minister of Finance, how, by a slight reduction of existing rates, all this vast amount of freight could be carried over the Intercolonial Railway. I certainly thought I was right, as a member of this House, in bringing the argument forward, if it is a proper and fair argument to bring to the attention of this House. I gave you the quantity of flour from these five mills, and I know that other millers at Galt, Guelph, Toronto and others in western Ontario are sending thousands of barrels of which I have no knowledge at all, as I could not get the statistics, but for these five mills I know the figures myself. What was the statement of facts made by the hon. member from Prince Edward Island? The difference now in the rate by Boston and over the Intercolonial Railway is no less than 16 cents a barrel; but does any business man think the millers of Ontario are going to send their flour over the Intercolonial Railway at present rates? I will

venture to say that there are hundreds of thousands of barrels going to that island every year, and every barrel of it ought to go over the Intercolonial Railway, and would go over it if a rational policy were adopted. A few years ago we used to send thousands of barrels of flour to Pictou Landing, and the steamers going to Charlottetown carried it all, and we also sent a large quantity by the steamers from Point Chêne to Summerside. I think it is disgraceful that while we have lines running through our own territory that ought to carry this traffic, we are by our dog-in-the-manger policy contributing our money to build up American lines. The hon. gentleman said that while I charged the Government with cutting down the rates, I also attacked them for not cutting down the rates. I did not do so. I brought this charge: that while they carried flour to Halifax for 55 cents a barrel, they charged 15 cents a barrel more for carrying it to Campbellton, a distance of 250 miles less. Has the hon. gentleman no sympathy for the men working in the coal fields and in the iron mills of Londonderry in his own county? He admits that he carries the coal and iron for the company at Londonderry at a loss.

Sir CHARLES TUPPER. No.

Mr. CAMPBELL (Kent). It was admitted that the coal was carried at a loss.

Sir CHARLES TUPPER. Not the iron.

Mr. CAMPBELL (Kent). And yet he charges the poor miners and the workmen of that district for the material they have to live upon, 15 cents a barrel more than the people of Halifax. The same is true of the fishermen about Bay of Chaleurs—has he no sympathy for them? That is my argument. I say that while this road is controlled by the Government of Canada, that Government should have manliness and honesty enough about it not to charge one section of the country more than they charge another—that for like services the rates should be equal. I do not say anything against the rates on the Intercolonial Railway, only that they are not consistent or just to the people of Nova Scotia particularly. The hon. gentleman also spoke of the low price of flour, and he tried to make a point by stating that the people of the Maritime Provinces were getting their flour at a lower price now than they ever did before. Why is that the case? Because the raw material is reduced in value 30 or 40 per cent. Does the hon. gentleman take any credit for that? Does he say that the National Policy brought about that reduction? It is owing to the injurious effect of the National Policy, which has reduced the price of the raw material, and is injuring every farmer throughout the Dominion to-day. The hon. gentleman will not go to a farming district in Ontario and brag that flour and wheat are cheaper than they were before the National Policy was in force. I have only to say in conclusion that I thought that when we were discussing matters in connection with the Intercolonial Railway, it was proper to point out the difficulty to which I have been referring, and endeavor to find a remedy. The hon. Minister says that the cars go down to the sea empty. Surely it would pay to carry flour in them at \$30 or even \$20 a car, rather than to take them down empty.

Mr. POPE. The cars are coal cars.

Mr. CAMPBELL (Kent). I have seen thousands of Intercolonial Railway cars up west, and does the hon. gentleman mean to say that no freight goes west of Montreal?

Mr. POPE. Very little.

Mr. CAMPBELL (Kent). Then I say it would pay to take that flour down to Halifax even at the rate I have named.

Mr. POPE. I say it won't.

Mr. CAMPBELL (Kent). The hon. gentleman is actually carrying flour now for a lower rate. For numbers of years flour has been carried from Chicago, over the Grand Trunk and Intercolonial Railways, and delivered in Montreal and Halifax, at a lower rate than the hon. gentleman has been charging the people of Ontario. Surely at the same rates flour could be carried from Ontario at a profit, and it is surely to the interest of the people of this whole Dominion that it should be carried on our own railway.

Mr. KENNY. I agree entirely with the hon. member for Kent that every effort should be made to divert all the freight we can to Canada and to Canadian railways, and to retain all we possess to-day. He must remember that the freight to Halifax and the Lower Provinces must be carried at a low rate, because they are competitive points, and the Intercolonial Railway is competing with roads in the United States.

Mr. CAMPBELL (Kent). There are thousands and thousands of barrels of flour going to Halifax by Boston, and I say the rates on the Intercolonial Railway ought to be lowered in order to compete for that traffic.

Mr. KENNY. The difference to-day in the rate to Halifax by Boston and that on the Intercolonial Railway is 5 cents a barrel. I quite agree with the hon. member that every effort should be made to obtain that traffic for Canada; but I do not agree with him when he says that because the rate to Halifax is necessarily so low—and you must admit that 50 cents a barrel is an exceedingly low rate—the rate to points west of Halifax should be proportionately lower. We must recognise the difference between the long and the short haul, and he knows that it is not in the interest of the millers of Ontario to press for a mileage rate. The rate to Halifax is not entirely made by the Intercolonial Railway, but is made first by the Grand Trunk Railway. We have in evidence the fact that the flour carried over the Intercolonial Railway is generally very satisfactorily handled, and the hon. member for Kent will admit he is prepared to pay the Intercolonial Railway a little more than he would pay by Boston, because he knows that the work is more satisfactorily done by the Intercolonial Railway. As a proof that the work is more satisfactorily done by the Intercolonial Railway, I will ask the attention of the House for a minute or two while I read the evidence of Mr. Lord, a commission merchant of Montreal, which was given on 18th January, before the Railway Commission. He said:

"I have shipped a great deal of flour from different parts of the country, shipped it to Boston, brought it to Montreal, and now we are sending it to Halifax on the Intercolonial Railway. It is chiefly for Newfoundland now. We are moving a pretty considerable quantity. A large quantity has gone down there, and we have some of the vessels loaded. The first one was loaded on Saturday, at Halifax. Another ought to be loaded to-day, and I must say that I have never had so much satisfaction in shipping before as in this case. The vessels are there, and the railway authorities are giving every facility. As soon as the flour is on board they simply telegraph up the number of cars, and we get our bills of lading; the inland freight is paid, and there is no trouble whatever getting the bills of lading. Everything works very smoothly. It is shipped direct from Ontario. We get a rate to Halifax and charter vessels there. Those vessels come with sugar, principally from the Brazils, and we charter them at Halifax and load them."

I would just say to the hon. member for Kent that if he were to ask the merchants of Montreal their views, he would find that they complained of the Intercolonial Railway, because they carried freight very low from Chatham, St. Thomas and other points to the Lower Provinces. I quite agree with the hon. gentleman that the rates of freight ought to be as low as possible, but it is hardly fair to lay the entire blame on the Intercolonial Railway, when the rates are partly made by the Canadian Pacific Railway, the Grand Trunk Railway, and other roads with which the Intercolonial Railway has to pool its rates.

Mr. BORDEN. I do not think it possible for the Intercolonial Railway to carry flour into Halifax or any part of

Nova Scotia and Prince Edward Island to compete with the line *vid Boston* except at a loss. So long as we have the line by Boston, I cannot see any reason why the people should be taxed to bring the flour over the Intercolonial Railway. If there were no other way of getting it, I should think we should have the lowest possible rates on the Intercolonial Railway, inasmuch as we are prevented by the tariff from buying our flour in the United States. But this getting flour from Boston to the Maritime Provinces is not an unmixed evil, because it gives employment to our coasting vessels. Our schooners which carry freights of potatoes and other things to the United States are able to bring back freights of flour; so that no matter what rate the Intercolonial Railway might fix, a very large amount of the flour which goes to Nova Scotia and Prince Edward Island must, of necessity, come by the Boston route. However, I did not rise particularly to go into that part of the subject, but I want, before this discussion closes, to ask the Minister to give an answer to the resolutions of the Chamber of Commerce which I read, referring to the construction of a frost-proof warehouse, and to ask him whether the Government intend to bring a vote down in the Supplementary Estimates for the construction of that warehouse. I desire to point out to him the fact, which the hon. the Minister of Finance will know very well, that the great industry of fruit growing has sprung up in the western part of the Province of Nova Scotia, and that this year, during the winter months, 100,000 barrels of apples have been shipped at Halifax over the Windsor and Annapolis Railway. The people of the west cannot ask this railway company to construct a frost-proof warehouse at Halifax, because their road does not go into Halifax. They simply get into that city through arrangements made with the Intercolonial Railway. We have, therefore, to look to the Dominion Government for that warehouse. The Government has seen fit to construct an elevator in the city of Halifax at a very heavy expense to carry out what, in my judgment, is a very unnatural trade, that of bringing wheat from the western part of this Dominion to be shipped at Halifax. The Government established a precedent, in going out of their way to encourage that industry. By a very much smaller expense they could encourage this fruit-growing industry, which has come up within fifteen years in the western part of Nova Scotia, and which is destined to be one of the greatest industries in the Maritime Provinces. I might point out that when a large number of car loads of this valuable fruit is shipped during the months from November to March, thousands of dollars may be lost to the people of the district where the fruit is grown by a sudden lowering of the temperature. I would ask, therefore, the hon. gentleman to give a statement in answer to the resolutions I have read, and the statements I have made, which, I am sure, will be borne out by the Minister of Finance, who from his position as High Commissioner in England, and representative Minister here of Nova Scotia, knows that every word I have said is quite true.

Mr. McMULLEN. We have waited patiently expecting the Minister to give an answer to the hon. member for Kent who has twice asked for a reply. The returns show a decrease in freight of 168,011 barrels of flour carried by the Intercolonial Railway as compared with last year, and the hon. member for Kent has asked the hon. gentleman to give some explanation of this.

Sir CHARLES TUPPER. Did the hon. gentleman listen to the statement made by the hon. member for King's who has just sat down. There is no object in taking up the time of the House by giving different explanations from different people. The statement of the Minister was anticipated by the very clear explanations just made by the hon. member for Kent.

Mr. BORDEN.

Mr. McMULLEN. The Minister of Finance last year belabored and bullied the House the same as he has done to-night.

Sir CHARLES TUPPER. I was not here last year.

Mr. McMULLEN. You were here last night.

Sir CHARLES TUPPER. You said last year.

Mr. McMULLEN. Last night. And to-night when that statement was made, and the Minister of Railways was called upon for the purpose of eliciting from him information on that point, the Minister of Finance gets up and does the same thing again. It is unfair. The Opposition have endeavored to get information on that point. They have approached the question in a courteous way. The hon. member for Kent (Mr. Campbell) brought this question before the House courteously and fairly, and the Minister of Railways sat still in his seat, until a member here on my left had to get up and explain how it was. He says they carry coal over the Intercolonial Railway at a loss. Why do they not carry flour at a loss? Why should they not try to compete with the railways in America, so that the farmers might get an increased price for the wheat they produce? It is a notorious fact that a barrel of flour can be carried from St. Paul, Minnesota, to Liverpool for less than a barrel of flour can be carried from Guelph to Halifax. You can ship a barrel of oatmeal from the town in which I live to Liverpool or Glasgow cheaper than you can ship it to the Maritime Provinces. Here we have a road which has cost an enormous amount of money, which was built for the purpose of introducing an interprovincial trade, and in place of accomplishing the object which was in view in the construction of that road, the Minister of Railways allowed the traffic of the country to be carried through the United States, over American lines, and back to the Maritime Provinces, when we have a road which should do that work. They carry coal at a loss. Why do they not carry flour at a loss, for a short time at any rate, and so give us a little advantage? I say an effort should be made to do it. I say that the Minister of Railways, when a question of this kind comes up, should be prepared to get up and intelligently deal with a question such as this. Since I have been in Parliament, I have never seen a more sickening exhibition of incompetency than we have seen here to-night, when the Minister of Railways has sat here when questions were asked of him and has never made a single reply. I say it is uncourteous and unfair. Why did he not state why he is not able to carry that flour? Has he stated it? No, he has not. He sits still in his seat and says nothing. The Minister of Finance complains that he is not getting along with the different items in supply. We could get along quicker if they would give courteous and proper answers to the questions put to them by the Opposition. Two hours have been lost on this item? Why? Simply because the Minister of Railways will not get up and deal with a question which belongs to his Department; but, while he sits quiet, the Minister of Finance gets up and tries as has been said before, to draw a red herring across the trail, and to take off the attention of the House to the traffic on the Intercolonial Railway under the Mackenzie Government, as compared with that under the present Government. He also endeavored to show the marvellous ability which is presiding over that road in the person of the Minister of Railways, which is so extraordinary that it has doubled the traffic of that road within the years that it has been managed by hon. gentlemen opposite. He does not realize that there is not a road in Canada that has not doubled its traffic. Take the Canadian Pacific Railway. Take the returns of the Grand Trunk Railway. Have they not increased more in proportion than the Intercolonial Railway? But the hon. gentlemen claim the whole credit for themselves.

Sir CHARLES TUPPER. I did not claim any credit for the doubling of the traffic. On the contrary, I explained the necessity for providing additional rolling stock in consequence of the greatly increased traffic.

Mr. McMULLEN. He drew attention to the limited amount of traffic on the Intercolonial Railway when it was handed over to the present Government, and pointed out that since, under the able and efficient management of himself and the gentleman who succeeded him, the trade had doubled, and he claimed credit no doubt to his party for that.

[Sir CHARLES TUPPER. No.

Mr. McMULLEN. It is unfair that the Minister of Railways does not give us some answer in regard to the flour matter. If he had done so some time ago, we might have got over this item. It is not our fault that it has not been passed. The blame lies with the Minister of Railways, who sits in his seat and says nothing. He does not even give a reply to a question, but sits in his seat and treats the Opposition with the utmost discourtesy. I hope and trust that the country will be better served, before many years, with a Minister of Railways than it is now, with a man who will sit in his seat and give no explanation why things are in the position they are, as he has done to-night.

Mr. ROBERTSON (King's). I am sorry that the junior member for Halifax (Mr. Kenny) has left the House, but I understood that he was willing that flour should be carried from Halifax at a cheap rate by the Intercolonial Railway, but that the stations along the line were not to get those cheap rates. I do not think that is a fair argument of the hon. gentleman. I think it is a very selfish argument, that the lumbermen, the fishermen and the farmers all along the line of the Intercolonial Railway should be asked to pay more for a shorter distance than the people of Halifax and the people of Prince Edward Island. I will not say more on the subject as the hon. gentleman is not in his seat.

Mr. WATSON. I have been much interested in this debate to-night, and I have been rather surprised to hear hon. gentlemen opposite claim that freight should be carried at certain reduced figures over the Intercolonial when the present rates are very low. A few days ago they voted that we should still continue to pay the high freight rates in the west. We have been discussing to-night the estimate for the purpose of maintaining this Intercolonial Railway, which is run at the expense of the country and at a loss to the country, and at the same time this Government is bonusing a competing line through the State of Maine to cut off the trade of the same Intercolonial Railway.

Sir CHARLES TUPPER. No, not to cut it off, but to enable us to do what the hon. member for Kent (Mr. Campbell) wants, to compete with Boston and enable them to take the flour which is now going *via* Boston.

Mr. WATSON. You are going to take it through the State of Maine.

Sir CHARLES TUPPER. That will not hurt it.

Mr. WATSON. And you are bonusing a railway to take it away from the Intercolonial Railway, which belongs to the Dominion of Canada, but you will not allow the Province of Manitoba to have a competing line to carry their freight. We are told that the Intercolonial Railway carries coal at three-tenths of a cent per mile. The Government, at the same time, allow a road over which they claim to have a certain control, in regard to their freight rates, to charge $1\frac{1}{2}$ cents per ton per mile for carrying coal in Manitoba. It is strange for hon. gentlemen opposite to make such statements, when we know they are acting as they are in the west. We are actually paying more for

carrying wheat, which is a lower class of freight than flour, from Winnipeg to Port Arthur, about 450 miles, than is paid for carrying flour from St. Thomas to Halifax, a distance of about 1,300 or 1,400 miles. I will not occupy the time of the House further at this hour in the morning, but I will call attention to this fact, that, while you are prepared, as it were, to sacrifice your wife's relations for the eastern Provinces, and compel the whole Dominion of Canada to pay for carrying freight at a loss over the Intercolonial Railway, you compel the people of Manitoba and the North-West to pay excessive freights over a monopoly road which does not belong to the country at all.

Mr. POPE. With reference to the remarks of the hon. member for King's (Mr. Borden), I may say, as I did before, that we are considering now the whole matter of the terminus at Halifax. With respect to the particular building he referred to to-night, the frost-proof building, I can say nothing now. We have not considered that matter yet, but I hope that we will be able to give greater accommodation to Halifax than we have hitherto been able to do.

Increased Railway accommodation at Moncton \$12,000

Sir CHARLES TUPPER. This is to provide for the erection of a paint shop, \$7,000, and a blacksmith shop \$5,000. There is no intention of building a new station.

Mr. WELDON (St. John). Some years ago I called the attention of the Government to the position of the platform where people change cars from one road to another, and the danger to which they were exposed, and I asked that the station should be put in some better order. The Minister of Finance, who was then Minister of Railways, told me he would look into the matter.

Sir CHARLES TUPPER. I would have done so had I not gone away.

Mr. WELDON (St. John). I wish you would pass it over to your successor.

Committee rose and reported progress.

PRIVILEGE.

Sir CHARLES TUPPER. Before the House adjourns, I would like to draw the attention of the House for a single moment to a statement contained in the Toronto Daily Mail, which purports to come from Washington, and to be a report of an interview held between myself and Secretary Bayard. I wish to say that not only is this statement, which purports to be a report of the interview I had the pleasure of having with that gentleman, entirely incorrect, but in almost every particular it is the very reverse of true.

ADJOURNMENT—THE FISHERIES REPORT.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Mr. DAVIES. I have to complain that the Fishery Report which was presented, I think, either yesterday or the day before, is not yet distributed. The Session is very nearly to a close, and it is a most important report and we are very anxious to get it. Not a member on this side of the House has as yet had a copy of it, although copies of it have been distributed to the press.

Sir CHARLES TUPPER. I suppose it is the fault of the printers. We will do what we can to get it distributed at once.

Motion agreed to, and House adjourned at 1 a.m. (Saturday).

HOUSE OF COMMONS.

MONDAY, 6th June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READINGS.

Bill (No. 132) further to amend the Act incorporating the Canada Atlantic Railway Company.—(Mr. Perley, Ottawa.)

Bill (No. 133) respecting the Manitoba South-Western Colonisation Railway.—(Mr. Haggart.)

Bill (No. 131) respecting the Nova Scotia Permanent Benefit Building Society and Savings Fund (from the Senate).—(Mr. Tupper.)

Bill (No. 134) to enable the St. Martin's and Upham Railway Company to sell its railway and property.—(Mr. Skinner.)

Bill (No. 128) to enable the Western Canada Loan and Savings Company to extend their business, and for other purposes (from the Senate).—(Mr. McCarthy.)

ADDRESS TO THE QUEEN.

Sir JOHN A. MACDONALD. With the universal consent of the House—I can only do it with the consent of the House—I desire to move the concurrence of this House in the Address from the Senate to Her Majesty on the occasion of her arrival at the fiftieth year of her auspicious reign. Unfortunately I was not in my place last Friday when I ought to have moved it, and I throw myself on the good nature of the House in asking permission to move it now, although it is not on the Orders of the Day. The Address has not been read, I think, in the House, and before reading it I may say that it conveys faithfully, I think, the sentiments not only of the Senate, but of this House, who are the representatives of the people. The Address is as follows:—

MAY IT PLEASE YOUR MAJESTY:

We, Your Majesty's loyal and dutiful subjects, the Senate and House of Commons of Canada, in Parliament assembled, beg to offer our sincere congratulations on the happy completion of the fiftieth year of Your auspicious Reign.

The Supreme Disposer of events has made Your Majesty the Ruler of the fifth part of the habitable globe. Hundreds of millions of almost every race and tongue are proud to own your sway. But among them all, there is no community that cherishes a more heartfelt attachment to Your Majesty's person and Throne, than the people of the Canadian Dominion.

Once a colony of France, won in a struggle not less honorable to the vanquished than the victors, it was not long till its fidelity to the Crown was severely tried. How it stood the test was known to Your Majesty's illustrious father, when he honored with his friendship the hero of Chautauqua—the brave De Salaberry. And when the daughter of the Duke of Kent ascended to the Throne, the event was hailed as the dawn of an era which should bring to British and French Canada not only prosperity and progress, but the spirit of unity and goodwill. Under the influence of the great gift of constitutional self-government, conferred upon Canada in the early years of Your Majesty's reign, the country has made rapid progress. It has shared in the general advancement of the last half century, in the wonderful discoveries and application of science—the railway, the steamship, the telegraph, and their conquests of time and space; the multiplication of manufactures, the expansion of commerce, the blessings of legal reform, the diffusion of education, and in the wearing away of prejudices through increased intercourse between

Sir CHARLES TUPPER.

man and man. If the Empire's progress compares favorably during the last fifty years with that of the world at large, so does the progress of Canada compare favorably with that of the Empire. From a few scattered Provinces, it has become a great Federation, stretching from ocean to ocean, and linking by its iron path the European to the Asiatic portions of Your Majesty's domain.

It has been the good fortune of the people of Canada to enjoy, from time to time, the honor of the presence and countenance of several members of the Royal Family, and this relationship not only deepened their loyal devotion to the head of the British Empire, but enhanced their regard for the wife and mother, their veneration for the memory of the husband and father.

Our earnest prayer is that He who is the Ruler of all nations and the King of all Kings, may uphold, direct and preserve Your Majesty for many long years to reign over a prosperous and contented people.

This address is so appropriate, and I think so fully meets the feelings of the people of Canada as a whole, that it is almost out of place for me to add any imperfect words to carry out the sentiments so exceedingly well expressed in the Address coming from the honorable the Senate. Indeed, the people of Canada have taken the subject into their own hands. All the municipalities, the largest counties and the humblest villages alike, have arisen in their might and of their own accord, have given most enthusiastic evidence of their gratitude that Her Majesty the Queen has been so long spared, and gratitude also for the great blessings we have enjoyed under her reign of fifty years. And our people, after their own fashion and in their own way, and not pressed by any court or official influence, are showing from one end of the country to the other, from the Atlantic to the Pacific, their desire to make this a gala day in the history of Canada as it is in the history of the Empire. We, in Canada, have undergone great changes during the fifty years during which Her Majesty has reigned over us. But a few months after she ascended the Throne—I can remember it well—the old Provinces of Canada were in armed resistance to the Crown—not, I believe, from any fault of the Crown, but from discontent, which has happily long passed away, and which should be but lightly alluded to. From that time our progress has been constant. We have had our drawbacks, we have had our troubles, we have had commercial and other catastrophes, but still, on the whole, the progress of this great Dominion, and every Province of it, has been onward. The outbreak of which I speak was settled for the time by the Union of Upper and Lower Canada. The area was extended in 1867 to four of our Provinces, and now all British America, with the exception of Newfoundland, is under one Government, under a constitutional government, under a government fashioned, so far as the Federal Government is concerned, upon the model of the British Constitution, and we are going on prospering and, I hope, to prosper. And, although we may have our contests and our differences as to the best mode of advancing the interests of the Dominion as a whole, I hope that all of us, no matter to what party we may belong, have one object at heart, and that is, to develop still further the Dominion, which has made such an extensive progress during Her Majesty's reign. I will not say one word respecting the tribute that all the world, as well as Canada and the Empire, passes on Her Majesty's domestic virtues. It is said that:

“To gild refined gold, to paint the lily,
To throw a perfume on the violet,
Is wasteful and ridiculous excess.”

So it would be to attempt by any feeble language of mine to enhance the great merits of Her Majesty as a woman, wife and mother. I move:

That this House do concur in the Address of the Senate to Her Majesty the Queen, congratulating her upon the completion of the fiftieth year of Her Majesty's reign, and that the blank be filled with the words “and House of Commons.”

Mr. LAURIER. Apart from the regret which, I am sure, is felt in every quarter of this House, that the leader of the Opposition is compelled, through ill-health, to absent himself for the rest of the Session, I am especially sorry that on this occasion he cannot be in his place and be heard upon this subject to which he could do so ample justice. Yet, in so far as it can be a matter of joy to me under such circumstances, I must say it affords me great pleasure that the agreeable duty of seconding the Address which has been placed in your hands, Mr. Speaker, by the right hon. gentleman, has been, on this side of the House, devolved upon one of Her Majesty's subjects of French Canadian origin, and that occasion is at once afforded to testify to the fact that the feelings and the sentiments expressed in this Address are not only shared by those of Her Majesty's subjects from whom they would come most naturally, but they are also shared by all the races which inhabit this vast country of ours. I am quite satisfied, I am quite convinced, that the sentiments contained in the Address are shared by all races, and upon that point no race can claim precedence. This year Her Majesty will complete the fiftieth year of her reign. We all express the hope and the wish that she may long live to enjoy the respectful allegiance of her subjects in all quarters of the globe. We all entertain that hope, yet we know that the days allotted to Her Majesty by Providence may be long or short; but whatever may be the length of time still allotted to Her Majesty, by Providence, we may safely say that the judgment of history has already commenced to be passed on Her Majesty's reign, and it will be the judgment of contemporaneous opinion, and it has already been written that the reign of Her Majesty Queen Victoria, is one of the grandest periods, not only in the annals of British history, but in the annals of the human race. The reign of Her Majesty has been pre-eminently characterised by the conquests, advancement and progress of civilisation. When I speak of conquests, I do not speak of conquests achieved by war. The reign of Her Majesty has been more free from wars than the reigns of most of her predecessors, yet, unfortunately, it has not been completely free. Such wars as have taken place during her reign have also added brightness to the splendor of her reign. The Crimean war, the Indian mutiny, and lately, the short, brilliant, though unfortunate and fruitless campaign in the Soudan, showed that the great characteristics of British arms, courage, pluck and endurance, have been as conspicuous in the reign of Her Majesty as in any period during English history. And indeed if I myself, the descendant of a gallant race, were here to express my own opinion, I would say that I know of no day in English history of which an Englishman ought to be prouder than of that day in the Soudan, when the small English force in the sands of the desert, under a scorching sun and without water, reformed the square which had been broken for a moment by the onset of the enemy, and marched triumphantly to the banks of the Nile. But it is not of military glory, it is not of the achievements of war, but of the blessings of peace, that I am speaking. The achievements of peace have been such, during Her Majesty's long reign, that, to-day, in her jubilee year, the fiftieth year of her reign, there is far more freedom, happiness and enlightenment in all parts of her Empire, than were found on the opening of her reign. Indeed the reign of Victoria will become famous, not so much by the glamour of military glory as by the wonderful development of letters, arts and sciences, that is, all those things which are most conducive to the freedom, enlightenment and happiness of the people. Though I pretend not to be an English scholar, it seems to me that English letters never shed a purer and brighter light than they do to-day; and if we except the exceptional name of Shakespeare, there was never such a galaxy of names great in literature as during the reign of Queen Victoria. The arts are more flourishing in England and in the British community at large than at any

time during English history, and they are also more appreciated by the people. And of the sciences what shall I say? Their pre-eminence has been wonderful, marvellous, and would be incredible if we had not the example before our eyes; and their application to commerce and industry has developed British trade to such enormous proportions that, compared with it, the commerce of the most famous nations of antiquity pales into perfect insignificance. Of Her Majesty it would be trite to say, what has been so often said before, that, as a queen, a woman, a wife and a mother, she has been a model and example to the lowest as to the highest of her subjects. She has made herself dear to all her subjects and, as was said by the right hon. gentleman, has conquered the admiration of the world, because she has shown that in one of so high and exalted station the simple and modest duties of domestic life were always paramount. And, Mr. Speaker, if there be a fact of all facts for which it seems to me Her Majesty should be held in grateful memory by her subjects, it is because she has undoubtedly been the most perfect constitutional sovereign which the world has ever seen. At the time Her Majesty ascended the throne we may say there never had been any constitutional sovereigns outside the kingdom of England; and, in the kingdom, we must acknowledge, and history teaches us, that the sovereigns had not always borne that allegiance to the constitution that might have been expected. We know that they often endeavored to substitute their own will for the will of the people or of Parliament. We know, for it is also a matter of history, that, when she ascended the throne, the Duke of Wellington finding, as he thought, that she was in the hands of his political opponents, expressed his opinion and regret that there would probably be no hope for his party. But the young Queen promptly showed that, whatever might be her personal preferences, she would have but one rule of government, and that was to govern according to the expressed will of her people and the advice of her responsible ministers; and to that rule, laid down at the outset of her reign, she has steadfastly adhered. Of course we must know, for it is according to human nature, that Her Majesty may have had her personal opinions, but whatever may have been her own personal opinions on questions of public policy, the chief and only rule which guided her during her long reign has been a loyal adhesion to the will of the people. Of all the subjects of Her Majesty there are none who should be more grateful to her for following that course than her Canadian subjects. It is to that principle, carried out by her in England and adopted in this country, that we owe the prosperity of which we now boast, and to which the hon. gentleman has alluded. Let us suppose, for one instant, that during her whole reign in this country the system of government had prevailed which was in force during the reign of Her Majesty's predecessors. Could we suppose, for one moment, that the progress of which we now boast would then have taken place? Is it not a fact that our energies, instead of being exerted in the way of developing our resources, would have been spent in political agitation, in fruitless political agitation, and that, instead of having such a country as we now possess, we would only have had, in the language of the Address, a few scattered Provinces in this country, each struggling in its own way for constitutional liberty. It is a great pleasure to me to say that if her Canadian subjects ought to be grateful to Her Majesty, there are none of them who ought to be so grateful to her as her subjects of French origin, because there is no class of her subjects who have so profited by the era of liberty which was ushered in by her ascension to the throne. Remembering those facts, it would be ungrateful in me, were it not, as it is, a labor of love to express my adhesion in the name of the race to which I belong, to every sentiment contained in this Ad-

dress, and to express the hope and wish that the glorious reign of Her Majesty may long and long continue. I have much pleasure in seconding the resolution.

Mr. AMYOT. I entirely concur in the Address and all that has been said. There is one thing, however, to which I object, from a historical point of view, the Address says:

"Once a colony in France, won in a struggle not less honorable to the vanquished than the victors, it was not long till its fidelity to the Crown was severely tried."

In the French edition I notice that the word "conquered" is substituted for the word "won." Well, I deny that Canada has ever been conquered. It was ceded over by France to England. I suppose the matter has escaped the attention of the hon. gentleman, and it will suffice to draw attention to it to have it remedied. It would be a historical error, and while it would be in one way expressing our love to Her Majesty, it would be unjust and unfair to a great part of the population of Canada.

Motion agreed to.

Sir JOHN A. MACDONALD. I move, seconded by Mr. Laurier:

That a message be sent to the Senate, acquainting their honors that this House has agreed to the said Address by filling up the blank with the words, "and House of Commons."

Motion agreed to.

Sir JOHN A. MACDONALD. I move, seconded by Mr. Laurier:

That a humble Address be presented to His Excellency the Governor General praying that His Excellency will be pleased to transmit the joint Address of both Houses to Her Most Gracious Majesty congratulating her upon the completion of the fiftieth year of Her Majesty's auspicious reign, in such a manner as His Excellency may see fit, in order that the same may be laid at the foot of the Throne.

Motion agreed to.

Sir JOHN A. MACDONALD. I move, seconded by Mr. Laurier:

That the said Address be engrossed.

Motion agreed to.

Sir JOHN A. MACDONALD. I move, seconded by Mr. Laurier:

That a message be sent to the Senate, informing their honors that this House has passed the accompanying Address to His Excellency the Governor General, praying that His Excellency will be pleased to transmit the joint Address of both Houses to Her Most Gracious Majesty congratulating Her Majesty upon the completion of the fiftieth year of her auspicious reign.

Motion agreed to.

REPORT PRESENTED.

Report of Commissioner of North-West Mounted Police for 1886.—(Sir John A. Macdonald.)

POSTING PRIVATE BILLS.

Mr. WOOD (Brockville) moved:

That the time for posting Private Bills be reduced to four days.

Motion agreed to.

CANCELLATION OF HOMESTEADS.

Mr. MILLS. I wish to ask the Minister of the Interior when we may expect the information contained in those two addresses that were carried at the instance of the leader of the Opposition with reference to the cancellation of homesteads.

Mr. WHITE (Cardwell). That is being prepared as rapidly as it can be. It involves investigation into a number of registers.

Mr. LAURIER.

QUESTION OF PRIVILEGE.

Mr. KENNY. I rise to a question of privilege. I think the senior member for Halifax (Mr. Jones) is in the House, although not in his place, and I beg to call the attention of the House to what appears to be a very palpable error in the *Hansard* report of Friday's proceedings. I do this in no spirit of fault-finding with the manner in which the *Hansard* reporters discharge the very difficult duties assigned to them; but I understand the practice of this House is, that the sheets of the *Hansard* reports, containing remarks which hon. members may have made during the course of debates, are sent to the hon. members for correction. This is an excellent rule, to my mind, and a most charitable one for the new members of the House. I presumed that, in this respect, all the members were treated alike. This morning I received from the post office, with my other letters, certain pages of *Hansard* containing the proceedings of Friday, for correction, and, on looking them over, found they were incomplete, as some remarks I had made were omitted. I called at the office between one and two o'clock to ask for the missing matter. The manager was not there, and I could not obtain it. It was only when I took my place in the House that I found on my desk page 803 of the proceedings of Friday. I do not attach, in the slightest degree, blame to the reporters. I know it would be impossible for them to make a mistake in a monosyllabic answer given across the floor by one gentleman to another. In my opinion, the error is not an error of the reporters. It is not for me to say whether any gentleman or certain gentlemen are to have the special privilege of going to the *Hansard* reporters and correcting these reports earlier than others. That is a matter which the House, I presume, will have to decide. I presume that if any gentleman gives a monosyllabic answer, it is not in his power to change it without the permission of the House. It will be within the recollection of the hon. gentlemen who were in the House Friday last—I call their attention to page 803—that, in the debate there reported, the senior member for Halifax (Mr. Jones) referred to certain privileges, which, he said, only Upper Canadians enjoyed, and, later on in the debate, I asked, in reference to that: "Is not my hon. friend a Canadian?" To this question, he emphatically gave the monosyllabic answer: "No." To prove I am correct in making that statement, I refer the House to the *Toronto Mail* of Saturday, in which the answer for the senior member for Halifax is given as he gave it in this House, and not as it is reported in the *Hansard*:

"Mr. Kenny asked if his colleague was a Canadian, and the senior member for Halifax is reported to have answered, 'No.'"

I also find in the *Daily Citizen*, published in Ottawa, on Saturday last, the following report:

"Mr. KENNY. I am a Canadian, and we would have no national existence without the Intercolonial. Is not the hon. member for Halifax a Canadian?"

"Mr. JONES. No."

Now, this answer has gone before the country, and has appeared in the public press, and I bring this matter to the notice of the House, first of all to have the *Hansard* corrected, if there is an error, and also to know what the practice and custom of the House with respect to corrections.

Mr. JONES. I am very much at a loss to know what my hon. friend has taken exception to.

Mr. KENNY. I am reminded I have not given the answer as reported in *Hansard*. The answer, as reported in *Hansard*, is: "No, a Nova Scotian." I did not hear my hon. friend say that.

Mr. JONES. If that is all the hon. gentleman has to find fault with, he has taken up the time of the House to very

little purpose. I can only say that when the hon. gentleman comes to hold a seat in this House as long as others, he will not be so thin-skinned, and will not give preference to newspaper reports over the official debates of this House, as reported by the official reporters. If the hon. gentleman means to insinuate that I had access to or approached the reporters at any time, the hon. gentleman is laboring under an erroneous impression. I neither directly nor indirectly approached, conversed with, influenced, solicited, or corrected any report made by the reporters on that occasion, and I am disposed to place more confidence in the reporters in this House, than in party newspapers, which may circulate, as they have circulated, erroneous and false impressions of my opinions throughout this country. If the hon. gentleman has nothing more important to bring before the notice of the House, he had better not take up its attention with such small matters.

Sir JOHN A. MACDONALD. As I understand the hon. gentleman, the report in *Hansard* is correct, and the language he used is the language as reported; so that he did say: "No, I am a Nova Scotian." The hon. gentleman, I understand, affirms that he said that he did not instruct the reporters to say it, but somebody must have instructed them, or the hon. gentleman must have said so. Will the hon. gentleman now say that he said anything further than the word "No"?

Mr. MACKENZIE. What business has the hon. gentleman to catechise him?

Sir JOHN A. MACDONALD. This is a question of falsifying the *Hansard* by someone. If the hon. gentleman said, "No," and someone added the words, "I am a Nova Scotian," that would be a falsification of the *Hansard* for which the reporter must be punished, having ventured to attribute to the hon. gentleman language not used by him. This is a very important matter, and not to be slighted.

Mr. JONES. The hon. gentleman reminds me that I did not finish. I am sorry I did not give him that satisfaction, which it seems he is very anxious to get, and which he is craving to hear. I did reply: "No, I am a Nova Scotian;" and I said further down, that, in the language of a Tory Secretary of State, I was a Canadian by Act of Parliament.

Sir JOHN A. MACDONALD. That is another affair. We must accept the statement of the hon. gentleman. The hon. gentleman did say: "No, I am a Nova Scotian," and he did not confine himself to the monosyllable "No."

Mr. BÉCHARD. I heard the hon. gentleman say: "I am a Nova Scotian."

Mr. DAVIES. I heard the very same words fall from the lips of the hon. gentleman at the time. I heard them clearly and distinctly.

Mr. KENNY. I am glad to hear that hon. gentlemen opposite say that. If the hon. gentleman wishes to qualify the matter,—

Mr. WELDON (St. John). No, there is no qualifying at all.

Mr. SPEAKER. Orders of the day.

Mr. WELDON (St. John). I wish to quote from the remarks of the hon. gentleman.

Some hon. MEMBERS. Order.

Mr. WELDON (St. John). The hon. the junior member for Halifax asked: "Is not my hon. friend a Canadian?" To which the senior member replied: "No, a Nova Scotian."

Some hon. MEMBERS. No.

Mr. WELDON (St. John). The *Hansard* shows that, when the junior member for Halifax said:

"Without the Intercolonial Railway we could not have any national existence."

My hon. friend said:

"My hon. friend asks me whether I am a Canadian. I will answer him in the language of a late Secretary of State, that I am a Canadian by Act of Parliament."

Mr. SPEAKER. Order.

Mr. JONES. Beaucoup de bruit pour une omelette.

Mr. McMULLEN. I desire to say—

Mr. SPEAKER. Order.

Mr. McMULLEN. I wish to call the attention of the House to the fact that the reports have not been sent as regularly in advance this Session as they were during the previous Parliament. I think the advance copies should be sent in good time in order that they might be corrected. I know that I have not received the advance copies in time for the purpose of correction, and I suppose other hon. members are in the same position. If the same principle were followed that was followed in the previous Parliament the same difficulties would not arise. I have had some difficulties myself as to utterances which were sent out as made by myself which I had not uttered, and had not the ordinary opportunity of correcting. I think it is desirable that members should be furnished as early as possible with the advance sheets of what they have said for correction before they are passed into the *Hansard*.

IN COMMITTEE—THIRD READINGS.

Bill (No. 55) to incorporate the Eastern Canada Savings and Loan Company (Limited).—(Mr. Kenny.)

Bill (No. 44) respecting the Atlantic and North-West Railway Company.—(Mr. Rykert.)

Bill (No. 67) to incorporate the Massawippi Junction Railway Company.—(Mr. Colby.)

Bill (No. 63) to incorporate the Kingston, Smith's Falls and Ottawa Railway Company.—(Mr. Kirkpatrick.)

SECOND READING.

Bill (No. 130) to incorporate "The Teeswater and Inverhuron Railway Company" (from the Senate).—(Mr. Cargill.)

BREAKWATER AT DIPPER HARBOR, ST. JOHN.

Mr. WELDON (St. John) asked, Is it the intention of the Government to provide for the construction of a breakwater at Dipper Harbor, in the city and county of St. John, or for the erection of a lighthouse at that place?

Sir HECTOR LANGEVIN. To the first part of the question, I may say that my chief engineer states that an examination was made during the past year, and the report that was furnished to him is still under consideration, and he would like to receive further information before submitting an estimate.

Mr. FOSTER. With respect to the second part of the question, I may say that on looking over the papers, I find that last year I practically promised the late member for the county (Mr. Everett) that this work would be built. It is necessary, and it will be built this year.

HARBOR LIGHTING AT PORT LA TOUR.

Mr. GILLMOR, in the absence of Mr. ROBERTSON (Shelburne), asked, Is it the intention of the Department of Marine to provide in the Estimates this Session for the erection of a harbor light at Port la Tour, in the county of Shelburne, Nova Scotia?

Mr. FOSTER. It is not.

HARBOUR LIGHT AT WEST HEAD, N. S.

Mr. GILLMOR, in the absence of Mr. ROBERTSON (Shelburne), asked, Is it the intention of the Department of Marine to provide in the Estimates this Session for the erection of a harbor light at West Head, Cape Sable Island, Shelburne County, Nova Scotia?

Mr. FOSTER. A light has been asked for this place, and earnestly pressed by Major Laurie, and upon the favorable report of my officers I have decided to proceed with its construction this year.

POST OFFICE AT BEAUHARNOIS.

Mr. HOLTON asked, By whom, at whose request, and under whose authority was an investigation instituted, or is now being prosecuted into the loss of certain registered and other letters mailed at the post office of Beauharnois on or about 2nd March, 1886? Was such investigation demanded by any citizen or citizens of Beauharnois; if so, by whom?

Mr. McLELAN. The enquiry into the loss of certain registered letters posted at Beauharnois on the 1st March, 1886, was undertaken by the Post Office Inspector of the Montreal Division, on his own motion, and under the authority delegated to him for such purposes. A Mr. Brossoit, of Beauharnois, some months subsequently, made enquiry respecting a letter posted by him, which was contained in the missing package of registered letters; but this had nothing to do with the investigation of the case by the inspector.

BRACKET BOARDS ON CHISHOLM'S DAM.

Mr. MALLORY asked, Has permission been given by the Government or any of its employés to any person or persons, company or companies, since the year 1880, to place bracket boards on Chisholm's Dam in the River Trent, or in any other way to raise the water above the said dam? If so, to whom was such permission given, and when? To what height was the water allowed to be raised?

Sir HECTOR LANGEVIN. In 1885, permission was given to Gilmour & Co., to place brackets or "flush" boards; but a claim for damages having been made by Joseph Dunkley, on account of his having been flooded, an order was issued by the Minister in December, 1886, that all flush boards be removed. However, I must say that if any damage is incurred in such cases, of course, Gilmour & Co., will have to meet it.

COLONISATION COMPANIES.

Mr. MALLORY asked, How many colonisation companies are now in operation in Manitoba and the North-West Territories? What sums of money have been received by the Government from colonisation companies from the 1st day of January, 1886, to 1st June, 1887, both days included?

Mr. WHITE (Cardwell). Nineteen colonisation companies have not yet surrendered their contracts to the Government, and are, therefore, in that sense in operation. No money has been received from colonisation companies within the period mentioned, but in settlement of these lands we are taking back land instead.

BRITON MEDICAL AND GENERAL LIFE ASSOCIATION.

Mr. LAURIER asked, Whether it is the intention of the Government to pay the claim of the policy-holders of the Briton Medical and General Life Association (Limited), now insolvent, out of the deposit of \$100,000 made by that

Mr. FOSTER.

company in the hands of the Government for the benefit of the Canadian policy-holders?

Sir CHARLES TUPPER. Proceedings have been instituted in the courts of the Provinces of Quebec and Ontario for winding-up the company's Canadian affairs. Proceedings are still pending, and until some decision has been arrived at no action can be taken.

CABLE BETWEEN PELEE ISLAND AND MAINLAND.

Mr. BRIEN asked, Is it the intention of the Government this year to lay a cable between Pelée Island and the mainland, in the county of Essex, so as to give the people of that Island direct communication by telegraph and telephone with other portions of Canada?

Sir HECTOR LANGEVIN. It is not.

DEPUTY JUDGE FOR ESSEX.

Mr. BRIEN asked, Is it the intention of the Government to appoint a deputy judge for the county of Essex, this year?

Mr. THOMPSON. A deputy judge was appointed in that county some time ago, and, of course, deputies are appointed whenever a judge has to be absent.

RED POINT WHARF, HILLSBORO' RIVER.

Mr. WELSH asked, Has any money been expended by the Government in the repairs of Red Point Wharf, Hillsboro' River, Prince Edward Island, during the past two years? If so, how much? Has that wharf been taken over from the Island Government by the Dominion? If not, how came the repairs to be done by the Dominion?

Sir HECTOR LANGEVIN. In answer to the hon. gentleman I may say that I am informed by the chief engineer that no money has been expended by the Government in the repairs of Red Point wharf during the past two years.

BALLOT BOX PATENTS.

Mr. BROWN moved:

"That a Committee, consisting of the following gentlemen, be appointed to examine and report upon a ballot or voting box invented by John Waddell, of Harriston, and also by Dr. Jones, of Hagersville, viz.: Messrs. Ward, Edgar, Kenny, Hudspeth, Mills (Bothwell), Madill, Courso, Girouard, and the mover."

Mr. MILLS. I would suggest that there ought to be some member from the Maritime Provinces on this committee, and that he should be put on in my place.

Some hon. MEMBERS. Baird.

Mr. MILLS (Bothwell). I would suggest the name of Mr. Skinner of St. John.

Sir JOHN A. MACDONALD. That is a good name.

Motion, as amended, agreed to.

VENTILATION OF THE HOUSE OF COMMONS CHAMBER.

Mr. CHARLTON moved for:

Copies of all papers and correspondence relating to any proposed change in the mode of ventilating the House of Commons Chamber.

He said: This subject was under discussion some years ago. At that time the ventilation of the Chamber was wretchedly bad. Some improvements were made. Still, I think that other improvements might be made that would very much improve the sanitary condition of this Chamber. This is a subject which interests every member of the House, and that is my excuse for bringing it under consideration. I do it in the hope that some further improvement may be secured in the ventilation of the Chamber. The necessity

for that is not as apparent, fortunately, now as it is in the winter season, because we can open the windows and get a supply of fresh air in that way which we are otherwise unable to secure. But in the winter old members of the House are aware that the atmosphere of the Chamber is very injurious to health. I find myself, after a few days, that the effect of the atmosphere in this Chamber is very deleterious. Headache, stupidity almost—

Some hon. MEMBERS. Oh, no.

Sir JOHN A. MACDONALD. Oh, no, that is impossible.

Mr. CHARLTON. The mental barometer goes down, and the amount of mental force, in the case of a member who sits in this Chamber habitually till midnight or after, gradually diminishes. The system by which we are supplied with air is a bad one. We have running from this building to the face of the cliff a number of sewers, through which the air is conducted to the fans, and so brought into this Chamber. I call them sewers, though they are not used for the purpose of sewers. They do not, I believe, convey any offensive matter from the building to the outside; but the air is brought through these subterranean passages, which are damp and mouldy, and which are liable to be foul. Dead dogs and cats may be in them for aught I know, and I think the mode of bringing the air into this Chamber is radically defective and deleterious to health, and cannot be otherwise. Now, when a committee sat some years ago, on this matter, their recommendation was that the air brought into this Chamber should be brought directly from the great source of pure air, and not from the face of the cliff through sewers; but we persisted in following that plan of ventilating the Chamber, and the result is that we have a great deal of sickness here, a great many members lose their health in this Chamber, and those who do not lose their health, those who are strong enough constitutionally to be able to stand it, nevertheless suffer, to some extent, in consequence of this bad system of ventilation. The situation of this Chamber could scarcely be worse. It is surrounded by lobbies, passages, offices, and even water closets, and there is no opportunity for the air of heaven, or the sunlight of heaven, to reach us directly. If we cannot have the Chamber changed, or a new one built, or some radical change of that kind effected, we at least ought to make an effort to have the air brought into this Chamber direct from the only source from which we can get pure air, and have it supplied directly from the outside, and not bring it through these ducts. It is a matter of great importance to us all. We sit here, we endure this evil Session after Session, and we all feel the effects that are produced by it. It would not cost, I imagine, a very large sum to effect the necessary change. All we have got to do is either to run a shaft up above the smoke and the dust of that court, and bring the air down through that shaft direct to the fans, or adopt some other method that would let the air in here directly. But to bring the air through these sewers, as we are doing now, is something that ought to cease. I have made this motion—I do not know whether there are any papers or correspondence in connection with the matter before the Department of Public Works—but I have made this motion for the purpose of bringing this matter to the attention of the Government. I think it is an evil that might be remedied, I think it is an evil that ought to be remedied, it is in the interest of all of us that it should be remedied, and I have no doubt that the Minister of Public Works, if he has an expression of the sentiments of this House to warrant him in doing so, will incur the necessary expense and provide a remedy for the evil.

Sir JOHN A. MACDONALD. I regret that my hon. friend the Minister of Public Works is not in the Chamber

at the moment to speak as to the steps which he has taken. I know that my hon. colleague has taken a great interest in this subject, and has attempted in every possible way, after taking the advice of the architect, to improve the ventilation of this Chamber. No doubt it has improved immensely since we first commenced to sit here. It is not, however, by any means perfect yet, and I think it will stand a good deal of improvement. I dare say that on this subject the Minister of Public Works will find himself supported by both sides of the House if he goes to any reasonable expense to perfect the ventilation of this Chamber. It is our right to have a comfortable, and wholesome, and healthy Chamber to sit in while we are deliberating here, while we are sacrificing ourselves for the public good; but I do not go so far as my hon. friend did a moment ago, when he said he wanted a radical change. Well, I want a wholesome change, not a radical change in this Chamber. I shall call the attention of my hon. friend to this matter, and I will take an early opportunity to inform my hon. friend who moved this motion what steps are being taken to improve the ventilation of this Chamber.

Sir HECTOR LANGEVIN. I did not hear what the hon. mover of this resolution said, but I have no doubt that he wants better ventilation, plenty of fresh air and light. Well, as for the air, of course, we have only to open the windows, and in place of the gas we have the electric light, which, I think, has greatly improved the atmosphere. Besides I think the light is better, and we are all the better for it. As for the ducts under this building, we have had them examined repeatedly during the sitting of this House, and I think that nothing is wanting in that direction. But we cannot shut our eyes to this fact, that we are shut up here between four walls, and there are no openings except the doors on the floor. I do not know whether those who built this Chamber thought very much of ventilation; as a rule, I think architects think less of ventilation than of making a very fine building, without considering very often, perhaps, that this building must be used by human beings, sometimes occupied to a late hour by large numbers of people, and that consequently the air must be vitiated and needs constantly to be changed. However, I have called the attention of the chief architect to the ventilation of this room, and also to the ventilation of the Railway Committee room. It was suggested the other day that a new committee room might be built. Well, that is easy to say, but it is not so easy to be done, because this edifice has been built on a certain plan, and the space has been all occupied as we find it to be now. To construct another room large enough for our purposes, would require a good deal of space. I have been told that there was a large inner court where another room might be built. I have enquired about that and find that hon. members would not feel very comfortable if a new room was built in that court, because the boilers would be underneath, and perhaps some fine morning we might be all sent up to Heaven, I hope; and I think hon. members will prefer to postpone that very auspicious event as long as possible. However, I will call the attention of the chief architect to the matter during recess, and we will see what can be done to increase the capacity of the committee room by enlarging it at one end or the other, and by improving the ventilation in the upper floor, or the ceiling, and if it be found possible, by heightening the Chamber. If I find that we can enlarge the room to such an extent as to meet the wishes of hon. gentlemen, of course, they must not be surprised if I ask for a Governor General's warrant, which I shall expect Parliament to sanction. Hon. gentlemen may rest assured that everything possible will be done to improve the ventilation of this Chamber, as well as the Railway Committee room.

Mr. MULOCK. This matter was before the House, either in the Session of 1885 or 1886, and the Minister of

Public Works, if I remember rightly, said a good deal could be done to improve the condition of the atmosphere of this room by the windows outside the lobbies being kept open during the recess, when the House was not sitting, and by the various doors entering this Chamber being kept open; and he undertook to give directions to whoever has charge of that economy of the House, to have that attended to. That has not been done of late. I have come to the House many mornings quite early and have found every window and door leading into this Chamber absolutely closed.

Sir HECTOR LANGEVIN. The other day members were complaining about the ventilation just as the House was meeting, and I thought—although I have no special authority—I would endeavor to meet their wishes, and accordingly I had all the doors opened; but within ten minutes, they were quietly unfastened and closed. This is a matter in the hands of hon. members, some of whom prefer a little more hot air and a little less draught.

Mr. MULOCK. The ventilation should not be done during hours when members are in the Chamber, but at four or five o'clock in the morning, when the windows and doors should be left entirely open until members arrive and occupy the Chamber. Is there any reason for having the green doors to the west of the post office closed, or any advantage in having the wooden porch at the western entrance? That porch should be removed, at least during the summer season.

Mr. McNEILL. I hope the Minister of Public Works will make some arrangement by which air will be admitted directly from the outside. No artificial ventilation can suffice unless it be supplemented by a direct current of fresh air from the outside, and to do this the best way is to have the windows open. If they were opened about three times a day, and that when members are not in the Chamber, in addition to the present artificial ventilation, the quality of the air would be improved. This would be a very simple way of obviating the present difficulty.

Mr. DAVIES. I trust the Minister of Public Works will have the outside porch at the western entrance removed in summer.

Motion agreed to.

LIEUT. WILLIAM HAMILTON MERRITT.

Mr. BARRON moved for:

Copies of all letters, papers, and documents from the officer commanding the Governor General's Body Guards during the late North-West rebellion to the Minister of Militia or Major-General in command of the Canadian Militia, recommending for promotion Lieut. William Hamilton Merritt, of that corps, on account of services rendered by him while on active service during said rebellion; and of all letters, statements or memoranda written in reply by the said Minister or Major-General in reference to said recommendation to said commanding officer, Deputy Adjutant-General District No. 22, or to any other person."

He said: The gentleman whose name is mentioned, Lieut. William Hamilton Merritt, is well known to hon. gentlemen opposite. He took a very active part indeed in the campaign in the North-West. I am personally aware of the services he rendered, especially in the capture of White Cap, and I have reason to believe that a recommendation was made by his commanding officer that his services should receive some recognition. When the recommendation went in, I am informed, and I believe my information is reliable, that a very unsatisfactory reply was given by the Major General in command, and especially unsatisfactory to those officers who recommended that his services should be rewarded. If the correspondence is brought down, it will enlighten hon. members as to the facts, and show how this matter was treated by the Major-General commanding.

Mr. MULOCK.

the position of Major-General commanding should not be confined to English officers. For many reasons I think it is advisable that this motion should pass the House, and especially, if for no other reason, that simple justice may be done an officer who rendered very great and valuable services to the country during the last insurrection.

Sir JOHN A. MACDONALD. Perhaps the hon. gentleman will allow the motion to stand until the Minister of Militia is in his seat.

After Recess.

On the order:

That in the opinion of this House it is expedient to prohibit the manufacture, importation and sale of intoxicating liquors, except for sacramental, medicinal, scientific and mechanical purposes. That the enforcement of such prohibition and such manufacture, importation and sale as may be allowed, shall be by the Dominion Government through especially appointed officers.—(Mr. Jamieson.)

Sir HECTOR LANGEVIN. I saw the hon. member for North Lanark (Mr. Jamieson), a minute ago, and I suggested, as we had so thin a House this evening, and as he cannot expect to get through before the end of the sitting, that it would be better to postpone this matter until Wednesday, make it the First Order of the day on that day, and continue the discussion on until the end of the sitting.

Mr. JAMIESON. I accede to that suggestion, and will allow the matter to stand as the First Order for Wednesday.

Sir HECTOR LANGEVIN. A special Order.

Mr. FISHER. Did I understand the hon. gentleman to say that it will continue through the evening, as well as on the afternoon of Wednesday?

Sir JOHN A. MACDONALD. Yes, the First Order of the day before Notices of Motion—immediately after Routine.

Mr. JAMIESON. I move that this Order be postponed until Wednesday and made the First Order of the day after Routine.

Motion agreed to.

WHARF AT ST. JÉRÔME DE MATANE.

Mr. Fiset moved for:

Statement showing the amount of the sums expended since 1878 for repairs and improvements on the wharf at St. Jérôme de Matane.

Sir HECTOR LANGEVIN. I would suggest that this motion be made to cover also the expenditure from the 16th of May, 1867, to be given in two statements, or giving the whole expenditure from the beginning down to the present time.

Sir JOHN A. MACDONALD. Strike out 1878 and insert 1867.

Mr. Fiset. I certainly have no objection to the amendment moved by the hon. Minister of Public Works, but would be glad if the amounts expended each year were mentioned separately in the return.

Motion, as amended, agreed to.

FISH TRAP AT TIGNISH, P.E.I.

Mr. PERRY moved for:

Copies of all correspondence, telegrams, &c., that may have taken place between the Department of Marine and Fisheries and the agent in Prince Edward Island, having reference to setting a fish trap by James H. Myrick at Tignish, P.E.I., since the 1st day of January, 1886. Also, copies of all petitions, letters, &c., against setting said trap, and copies of petitions in favor of setting said trap.

He said: In making this motion I desire to draw the attention of the House, and the Minister of Marine and Fisheries especially, to the fact that a fish trap has been set off

the Tignish coast for a number of years, and that trap has been of great benefit in catching the bait required for the purpose of the mackerel and lobster fisheries. In order to carry on those fisheries successfully, a great deal of bait, mostly herring, is required, and this is taken around the shores of Prince Edward Island. A few years ago a large quantity of the nets of the fishermen were destroyed by storms or ice, and they did not go to the expense and trouble of making new nets, but depended on this trap for their bait. But on a sudden, and very mysteriously, some day in March last, I have not the exact date, a letter was sent from the Department to Mr. Myrick, stating that he was not to set the fish trap until a license was obtained from the Department. On the 30th of March last the following letter was also addressed to Mr. Myrick by Col. Duvar, inspector of fisheries:—

"Sir,—I beg to state that I am to-day directed by the Department of Marine and Fisheries to inform you that license will not be issued this season for your fish trap."

"JOHN H. DUVAR."

Now, I want to know why this order was issued at that time. Had the Government candidates for Prince county been returned, I believe the trap would have been allowed to be set for this season. I know that the Government candidates, three or four days before election, called on Mr. Myrick and asked for his influence; but he does not make use of his influence in the elections. He has no politics; he is a foreigner, he does not vote, and is not a politician. He has been doing business in Prince Edward Island for something over a quarter of a century, and during that time he has been supplying all the fishermen along the coast from West Point to Alberton, a distance of 40 or 50 miles, I suppose 20 different fisheries, with bait for the mackerel and lobster fisheries which are carried on there; and the result of that trap not being set is that about 2,000 fishermen have been thrown out of employment. That is a poor way to enable those people to pay their lawful debts. It makes it very hard for them to pay Mr. Myrick for the goods he has supplied them, which are so highly taxed by the National Policy. The refusal to allow the trap to be set is a great injustice and hardship, not to Mr. Myrick, but to the fishermen around the shores. It was done solely to punish Mr. Myrick's concern because he would not allow his business to be made use of to help to return the Government candidates. I am not aware that his concern has ever been used in any shape whatever for or against any candidate. I have never asked him for his vote or for his influence in my election, and I am sure my colleague has not; but I know that the wires have been pulled, and I believe the Department has been coaxed and harassed into making this sudden order in order to punish these people. Why was not this order issued last year and made public then? Why were the people not made aware then that they must not expect the benefit of this trap for carrying on their fisheries? This spring, owing to the ice around Prince Edward Island, vessels could not reach the Madeline to catch bait, and the result is that not one-tenth of the bait usually caught on our shores has been caught this season. The Government talk about protecting our fish. This looks more like preventing the people catching fish, because it is taking away from them the means of carrying on their fisheries. I hope and trust that the Minister will have no delay in laying these papers before Parliament, in order that we may know who has been at the bottom of this matter. When it was known that this trap was not going to be set, petitions signed by 200 or 300 fishermen were sent from Tignish, Kildare, Miminigash, Nail Pond and other places to the Department asking that the trap should be allowed to be set. Notwithstanding all that, I am sorry to say that it appears that one dead man has more influence than 200 or 300 live men. I charge this home to the Department of Fisheries. Three

or four weeks ago I asked, not on the floor of this House, because it is hard to get an answer here; but I went to the Department and asked the gentleman in charge of that Department to give me the names of those petitioners. He promised to do so, but I have not got them yet. But the House and the country will find, when these names come down, that they are the names of fishermen; and they ought to know, and must know, and do know, as well or better than the Minister, whether this trap was injurious or not. The fish have come and they have gone, and the people have to do without them. The result of the order to stop this trap has been to prevent these poor, hardworking people following their legitimate business of catching mackerel and lobsters. I hope the Minister will make no delay in bringing down the papers.

Mr. FOSTER. I have no objection to bring down the papers, I suppose it would be more in order to discuss the question when the papers come down. If the information had been before the House, my hon. friend would not have made all the statements he has. About some of the statements he has made, I happen to know something, about others I do not know anything; but if I am to judge the veracity of those of which I know nothing by the veracity of those of which I know something, I should judge his case to be a very weak one. His whole case falls to the ground when the House knows that this fish trap is the only one about the coast of Prince Edward Island; that, owing to many representations, the Department the year before last, before the elections were thought of, came to the conclusion it should not be again put down, and orders to that effect were issued. Last spring, however, through some misunderstanding between the fishery inspector in Prince Edward Island and the Department, the trap was found to have been put down, and the Department allowed it to be retained there last year, but notice was given last year to Mr. Myrick, and to the fishermen themselves, that it would not be allowed to be put down another year. These are the facts, and before them my hon. friend's pretension that this is a mysterious political matter, a matter of departmental persecution, falls to the ground. When the papers come down, the subject can be discussed at full length if, indeed, it is worthy of discussion.

Motion agreed to.

L'ARDOISE BREAKWATER.

Mr. FLYNN moved for:

Copies of all surveys, reports and correspondence in connection with L'Ardoise Breakwater, in the county of Richmond.

He said: Petitions had been sent in to the Government of the right hon. gentleman in 1873, and subsequently to the Mackenzie Government, for the erection of a breakwater at this place, and in 1876 one was erected at a cost of about \$11,000. It was destroyed by storm, however, some years ago, and since then no effort has been made by the Department of Public Works to repair it. It is now a sunken ledge, a portion of it being above water, and very dangerous. The Department of Public Works, having recognised the necessity of a breakwater there, should surely when it has been destroyed by the operation of the tide, and ice, and other causes, at least restore it. It is of great importance to the people of the section, a very large fishing district, in protecting their boats and in other respects. I trust steps will be immediately taken to restore this breakwater, and I would like to know if any have been taken as yet. I shall say nothing more in reference to this matter, but leave it in the hands of the Government.

Motion agreed to.

POST OFFICE AND CUSTOM HOUSE, ARICHAT.

Mr. FLYNN moved for :

Copies of all correspondence in connection with the purchase of a site for the erection of a post office and custom house in the town of Arichat.

He said: Some years ago the Government purchased a site, at an expense of \$1,000, in the town of Arichat, for the erection of a post office and a custom house and other buildings connected with the Government departments in that town. Tenders were called for, but no contract has been entered into, and the buildings have never been erected. There are plenty of towns of less importance in Nova Scotia, and in other portions of the Dominion, with public offices, and I may ask now what is the reason why these have not been erected, especially after the site has been purchased?

Motion agreed to.

RAILWAY CONSTRUCTION IN CAPE BRETON.

Mr. FLYNN moved for :

Copies of railway surveys from the Strait of Canso to Sydney *via* Grand Narrows and from the Strait of Canso to Louisburg *via* St. Peter's during the summer of 1885, with the estimated cost of both lines. Also copies of surveys from Grand Narrows *via* Boisdale to North Sydney and Sydney. Also copies of surveys between East Bay and St. Peter's, copies of reports and surveys between Sydney and Loch Lomond *via* the Mira and Salmon River Valley, in the year 1886; copies of all telegrams to the Department of Railways during the time of the surveys; also a copy of Minute of Council adopting the Grand Narrows route *via* Boisdale to North and South Sydney, with the engineer's report on the crossing of the Grand Narrows.

He said: My object in moving for these papers is to show that the route selected by the Government for the construction of the railway on the Island of Cape Breton is one that will not meet the requirements of the great majority of the people of that Island. In the first place, the route may be designated as a local one, and one altogether unsuited to the requirements of the people there. It is a departure from the well grounded and general principle that the railway in the Island of Cape Breton, when built, would be a continuation of the Intercolonial system. There can be very many reasons given why the southern route, having its terminus at Louisburg, should have been adopted in preference to the one the Government has adopted. It was shorter, it was a less expensive route, it was a shorter route to Europe, and it had an open port during the winter. The Grand Narrows route offers none of the advantages I have spoken of in regard to the southern route. It increases the distance to Sydney by 15 miles and the distance to Louisburg by 45 miles. It will give very little accommodation to Inverness and Victoria, and the engineering difficulties are much greater than they would be on the southern route. That portion of the road *via* Boisdale requires the construction of large bridges over the George's River, the West Arm, Lynch's Creek, Ball's Creek, and a very large bridge across the Sydney River, adding very much to the cost of the road. But, in addition to the cost of the road in consequence of these large structures, there is another very important reason why this route should not have been selected—one of the greatest—is the crossing of the Grand Narrows themselves. We have had one great difficulty heretofore in extending our railway system east, the crossing of the Strait of Canso; but, in this case, by abandoning the southern route *via* St. Peter's and Louisburg, the Government have absolutely added another difficulty, by the fact that they have crossed another arm of the sea nearly two thousand feet in width. In the Strait of Canso we have a difficulty with the ice, but that can be overcome with a ferry at all times. In the first part of the season, when the drift ice comes down the Gulf of St. Lawrence, there are periods when the crossing is interrupted for a short time during the day, but at the change of the tide the crossing can be navigated

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by a steamer. In consequence of the peculiar formation of the Gut of Canso, when the winter begins, the ice jams in there and becomes a solid block, reaching no further than Hastings, offering every facility during the winter for crossing. This is not the case at the Grand Narrows. Although it is stated that a steam ferry may be possible there, I believe it is quite impossible to use it all the year round, and I believe, if the route that the Government have selected is adhered to, a bridge must be ultimately built. The ice there forms from eighteen inches to thirty-six inches in thickness every winter. I have here the report of Mr. Hyndman, the engineer, in which he states:

"Except during a very severe winter, it is said the ice is never fast, but floats with the tide. The thickness of the ice is generally about three feet. It begins to form about the middle of January, and disappears below the surface about the first week of May. The period of the greatest quantity of ice is in February, where it attains sometimes six feet in thickness. It is formed in the coves, the result of the ordinary drift ice being piled up. It afterwards cracks and moves out with the wind and is carried backwards and forwards in larger or smaller blocks several hundred feet in length and breadth. The shipping passing through the Narrows consists principally of fishing schooners which come from the east to fish in the Great Bras d'Or Lake and coasting vessels, all of which pass on through the canal at St. Peter's. On some days as many as sixty or seventy have passed backwards and forwards."

Now, according to his calculation, the ice is sometimes three feet in thickness and at other times six feet in thickness. If that is the case, and the road is built on that route, I maintain that a steam ferry cannot be used at all times, and it necessarily involves the building of a bridge. One of the surveyors states that a bridge can only be built at an enormous cost, and it has been estimated by some that it will amount to at least a million dollars. If that route is adhered to, and a bridge is built, as I maintain it must be, it will, therefore, involve an additional cost of a million dollars for the construction of the road, which will still be a local road, and will not serve the general interests of the Island of Cape Breton. For very many years—perhaps I might go back to a quarter of a century—the dream of the people has been a railway from New Glasgow by the southern route to Louisburg. For some years there was very little done in the way of the extension of railways in the Province of Nova Scotia, but fifteen years ago the Local Legislature of Nova Scotia took hold of this matter. Before this, all the discussions in the Local Legislature tended to one point, the extension of the railway system from New Glasgow *via* St. Peter's and the southern route. I intend to show tonight that all the discussions in the Local Legislature, all the Acts of incorporation, all the subsidies granted had invariably that end in view. The first to which I will call the attention of the House was in 1872, when the Local Legislature gave a subsidy for a road from New Glasgow to Louisburg of 150,000 acres of Crown lands and all the royalty in coal produced in the island for forty years. No company undertook to build the road for that subsidy. The next move taken by the Local Legislature was in 1875, and then I find it was for the purpose of aiding in the construction of a line of railway from the Strait of Canso to Louisburg by a grant of 300,000 acres of Crown lands, to be taken from the four counties, \$5,000 a mile in cash, and the minerals in 150,000 acres of Crown lands. Again, Sir, not being able to get a company to build the line to Louisburg, on this offer made by the Local Legislature of Nova Scotia in 1875, not having sufficient means at their command to induce a company to undertake that work, they agreed to extend the railroad to the Strait of Canso, with the ultimate view of carrying it on to Louisburg as the Atlantic terminus. I am going to call the attention of the Government and the House to the fact that, up to within the last six or nine months, the location of the Grand Narrows was never spoken of, never thought of, and never dreamed of, by anybody in the Local Legislature of Nova Scotia, where this matter was discussed, and where the

subsidies were voted, or in the Federal Parliament, until last summer. Again, in 1882, when the Holmes Government was in power, of which the present Minister of Justice was then Attorney General, they entered into an agreement for the purpose of consolidating the railway system of Nova Scotia, and a portion of that agreement was drawn up in these words:

"A line of railway from the Strait of Canso, through the Island of Cape Breton, to a point at or near Louisburg, or other convenient point on the east coast, of a distance of about eighty miles."

Now, I have shown that in successive Governments up to 1882, and in the discussions which took place, a southern route, with its terminus at Louisburg, was the only thing ever thought of. In 1874, the Mackenzie Government agreed to give the Pictou Branch, then under the Dominion Government, to the Local Government. It was considered that inasmuch as that branch had cost over \$2,000,000, the money subsidy and the grant of Crown lands to the Local Government would enable a company to build the road as far east as Louisburg. It was represented here by the company who were about to undertake the road, that if Mr. Mackenzie would refuse for another year to give that Pictou Branch to the Local Government, they would be able to build it. Mr. Mackenzie, in the interest of the Island of Cape Breton, taking a deep interest, as he always did, in the island, withheld that branch from the Local Government from 1874 to 1876. Then finding it was impossible to do otherwise, Mr. Mackenzie was induced to give up the Pictou Branch unconditionally, and he did so on a motion in this House in 1876, in reference to this matter. In discussing it Mr. Mackenzie made use of some words which I shall quote to show that on that occasion both the Local Governments, and both parties in Nova Scotia had adopted the policy of the extension of this railway east, having its terminus at Louisburg. It was the policy of Mr. Mackenzie's Government who gave that Pictou Branch of 50 miles, valued at two millions, for the purpose of aiding the Local Government to extend the railway east, having its terminus at Louisburg. Mr. Mackenzie said:

"There was no doubt if a good line to that part of the country was established, a steamship line would sooner or later be organised crossing the narrowest part of the Atlantic, and carrying the mails and passengers, steamers of comparatively light draught which could make more rapid progress than was at present attained. It was evident to any one who studied the map that this would ultimately be the short route to Europe, and would be used, perhaps, within a very few years."

Now, I have given you what were Mr. Mackenzie's views on that occasion. During all this time, during the discussions in the Local Legislature and this Parliament, when the Mackenzie Government were called upon to aid the line, it was always with the view of having a terminus at Louisburg. Now, I propose to show that the same policy was adopted by the present Government. In 1883 the hon. Finance Minister thought it was necessary, in the interests of this country, to take a new departure. He then said in this House that he felt convinced that the Local Legislatures were not in a position to carry out those important works, that it was the bounden duty of this Legislature to aid in the construction of these lines, because they were of national importance, and because the results flowing from them, the development of the country, and the opening up of trade, would enrich the Dominion Treasury. That hon. gentleman, when he was acting as Minister of Railways, clearly laid down the policy that this line was to be in extension of our national system, it was to be an extension of the Intercolonial Railway, having its terminus at Louisburg or Sydney, and not through the Grand Narrows. In the Session of 1883 that hon. gentleman asked this Parliament to grant, among other subsidies, one to the Great American and European Short Line Railway Company, mark you, for 80 miles, a railway from Canso to Louisburg

or Sydney in Nova Scotia, a subsidy of \$3,200 per mile. Now, in proof of that let me read to you what the hon. Finance Minister, who was then acting as Minister of Railways, said on that occasion. I read it because it is more important than anything I could say, and the language the hon. gentleman used on that occasion conveys not only what I wish to express, but in a more condensed and a more elegant form. He said:

"Then, Sir, it is proposed to give to the great American and European Short Line Railway Company, for 80 miles of their railway from Canso to Louisburg, or Sydney, in the Province of Nova Scotia, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$256,000. I may say that this is for the purpose of extending the existing railway system of Canada from the Strait of Canso on the Island of Cape Breton, to Sydney and Louisburg, two ports which are connected with a short line of railway—the only railway of any length existing on the Island of Cape Breton. The construction of this 80 miles will extend the great inter-oceanic system of railway communication to which we have been devoting so much time and energy for the last few years, from Port Moody, on the shores of the Pacific, to the easternmost port in the Dominion of Canada. I need not refer to the great volume of shipping which is now pouring into the harbor of Sydney, as stated by the senior member for the county of Cape Breton last night, and there is only a comparatively small portion of the year when it is inaccessible to the ocean. The port of Louisburg, with which, as I stated, it is connected by rail, is open at all seasons of the year, and by that port we have the shortest route to Liverpool, as the distance *via* Louisburg is 200 miles shorter than by Halifax, the nearest port to England we now have in Canada. This will make almost an air line of communication—the most direct line of communication—connecting with the Canadian Pacific Railway at Montreal, running by the Grand Trunk system from Montreal to Sherbrooke, there taking the International Railway to the boundaries of the State of Maine, and then striking New Brunswick at the Mattawamkeag, or in that neighborhood, thence on to St. John, thus forming the shortest line of communication which can be obtained between the western portions of Canada and the Atlantic ports."

Again in the same speech he said:

"The distance from Montreal to Halifax will be shortened by 160 miles by the line I have referred to. Then, a subsidy is divided for an extension of the railway system of Nova Scotia towards the Island of Cape Breton. A subsidy composed of fifty miles of completed railway between Truro and Pictou, was handed over by the late Government to the Government of Nova Scotia to enable that Government to secure the construction of the line towards the Island of Cape Breton. I hoped, and all of us hoped, when that subsidy was given, that it could accomplish more than it did accomplish, but when the compact came to be made, it was found that the Government were obliged to give an additional subsidy amounting, I think, to something like \$750,000, to secure the construction of the road from Pictou or New Glasgow on to the Strait of Canso. It was hoped that this would carry the line further, but it has not done so, and arrangements have been made by the late and present Government of Nova Scotia to require that 80 miles of railway, leaving 80 miles to be constructed in the Island of Cape Breton, which everybody knows will be of great importance to this country and at no distant date, in forming the most direct and rapid route between this country and the mother country, and knowing as we do, that a great saving of time and distance will be effected for the transfer of mails and passengers by extending this road to the harbor of Louisburg, we believe that Parliament in carrying out and extending the policy of having the most direct line across this continent from ocean to ocean that it is possible to obtain and having the most western portion of our country and the Pacific trade brought as near the mother country and by as rapid and as direct line of communication as possible, will be prepared to approve of the small subsidy to the International Company forming the link on this end of the road, and this subsidy of \$3,200 a mile to secure the construction of that 80 miles, as I trust will be secured from Canso to the harbor of Louisburg. I do not think it will be necessary for me to detain the House at this stage of the Session, to speak longer on this question, though great and important as it is: but I will say that it would be difficult to overrate the value to Canada, of obtaining this great route, from ocean to ocean, and it would be difficult to overrate the importance from every point of view, of opening up the Island of Cape Breton. The Island of Cape Breton is cut off by the Strait of Canso, although there is no ice, and no difficulty of maintaining communication across by means of a boat—and, perhaps, at no distant day, by a bridge or a tunnel, although that is not proposed at present. It is at present cut off by the Strait of Canso from railway communication with the rest of the country and it will be impossible to overrate the importance of the development of the Island of Cape Breton, of the construction of that line of railway. Independent of enormous coal fields, independent of the valuable fisheries, it is known that Cape Breton possesses a large portion of good soil adapted to cultivation and development, and also mineral resources of various kinds that only await the facilities railroads alone can give in order to cause the island to spring forward, as I am sure it will, with unwonted rapidity.

That was the language of the present Finance Minister when acting as Minister of Railways in this House in the

Session of 1883, when he asked the House to grant, and when the House did grant, towards the European and American Company a subsidy of \$3,200 per mile to extend the line from the Strait of Canso to Louisburg. Here, then, the House will see that at the very commencement of the new departure by the present Government, when they thought that it was in the interest of the country that they should undertake the construction of this railway, the policy adopted was the policy of the previous Government, to extend this line as forming part of the national highway by the southern route, *via* St. Peter's to Louisburg or Sydney. Again, in 1884, the same hon. gentleman in moving for certain railway subsidies, asked this House to grant a subsidy of \$30,000 for fifteen years for a line from Oxford Station on the Intercolonial Railway to Sydney or Louisburg. Again, in 1885, I find a petition was unanimously signed by the five members then representing Cape Breton, and by a number of other representatives, asking the Government for a grant of money to complete this railway, not to Grand Narrows, but to Louisburg or Sydney. Again, last Session when the Minister of Railways asked a vote of Parliament to construct this work as a Government work, and after receiving that authority from Parliament, and when the Government came down and asked a grant of \$1,700,000 to carry out the work, it was all done with a view to extending the road, and the House was asked to grant it for such extension by way of St. Peter's, having for its terminus Sydney or Louisburg. I think I have shown that during all those fourteen years when the subject was discussed in the Local Legislature, when it was entertained from time to time by the different Governments, when it was discussed in this Parliament during the Administration of the hon. member for East York (Mr. Mackenzie), and when the question of railway extension from the Strait of Canso to Cape Breton was discussed in this House during the present administration of affairs, it was always with a view to the extension of the line from Canso as a part of our great national highway, that extension having Louisburg or Sydney as the terminus. I do not hesitate to say that if the present Finance Minister had continued in the Government, acting as Minister of Railways, the railway would never have gone by the Grand Narrows route. I am satisfied from the intimate knowledge he possesses of that section of the country, from his desire for its material progress, for the development of the mineral, agricultural and fishing resources which Cape Breton possesses in such abundance, he would never have consented to the location at Grand Narrows, a location which must prove so injurious to the best interests of the island as a whole. I have pointed out, as briefly as this question would permit, that great injustice will be done to Cape Breton if the present route, the route selected by the Minister of Railways, is adhered to. Besides running in the wrong direction, besides not being a continuation of our national system of railway, besides not having its terminus where it was always proposed, namely on the Atlantic seaboard, the cost would be very much greater than by the southern route. It was reported, and I have seen it publicly stated during the time the surveys were in progress, that the cost of the line *via* Grand Narrows would be at least \$10,000 per mile more than by the southern route, although in the report of the surveys the statement is made that the cost by either route would be the same, \$20,000 per mile, provided a steam ferry could be used at Grand Narrows. But from reading the report I cannot see how this is possible owing to the number of bridges, the large structures necessary to be built on that route as compared with the southern route to Louisburg. Now, Sir, Mr. Schreiber in submitting the report of Mr. Hyndman and Mr. Donken, and their surveys of the two routes, makes the following statement, to which I call the

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attention of the Government, in proof of the position I take that notwithstanding these reports which state that if a steam ferry could be used all the year round—and of that they are doubtful—the cost would be the same. I propose to show from the report as to the nature and character of the country, the character of the structures, the number of bridges, their extent and span, in constructing the line *via* the Grand Narrows, that it must necessarily involve a great deal more cost per mile than by the other route. What does he say in reference to the road from Hawkesbury to Louisburg :

"The work on about one-fourth of the total distance may be classed as heavy and the remainder medium to light. The bridging on this route is not of an expensive character, the largest structure being that over the Inhabitants River, consisting of one span of 188 feet, and 450 feet of pile trestle. The indications of rock are by no means formidable, and it is estimated that the construction and equipment of this road, including sufficient wharf accommodation at each terminus, to serve the present traffic, would not exceed \$20,000 per mile. Attached is Mr. Donken's report describing, in detail, the country traversed, accompanied by tables of gradients and a list of the principal structures required. Also attached is a copy of a letter addressed to Mr. Donken by the Rev. Dr. Sutherland, upon the mineral resources of the country, which cannot fail to be of interest."

Now, what does he say with reference to the Grand Narrows ?

"West of the Grand Narrows the country is very rough, necessitating heavy work and considerable curvature."

He also says :

"The structures are somewhat numerous, there being eight spans of 100 feet required, besides a large number of small bridges and culverts."

He says further :

"The crossing of the Grand Narrows forms a serious obstacle on this route, the width of the waterway being 1,800 feet, with a depth of 75 feet of water for a distance of 1,200 feet. From the information obtained from the engineers in the field, it is believed"—

You will observe that there is nothing positive about it. —

"that no difficulty would be encountered in working a steam ferry across the Narrows at all seasons of the year. A bridge at this point would be a most costly work, whilst a ferry would probably serve the purpose of the traffic of the road if it can be worked without interruption the year round. If a ferry be considered sufficient the cost per mile of this line would be about the same as that to Louisburg, namely \$20,000."

Now, in the face of those statements, with regard to the character of the country by these different routes, I cannot see how it is possible that even the engineers could have said that both routes would cost a like amount, namely, \$20,000. They also give in this report the number of structures on both routes, and their width; and they show very clearly, taking the reports of the surveyors themselves, notwithstanding the statement that it would cost \$20,000 to build it, that it will cost much more per mile by the Grand Narrows than by the other route. By the Louisburg route fifteen structures are required, the largest being on the River Inhabitants, 180 feet span, and 450 feet trestle work; one of 125 feet span, one of 120; two spans of 100 feet, and the remainder of 60 feet. By the Grand Narrows route there are twenty-one structures exclusive of the Narrows, one on Benacadie Pond over 100 feet, eleven requiring from 100 to 650 feet of trestle and three spans of 90 feet. Now, I say that upon these statements it is impossible that the cost *via* the Grand Narrows can be the same as the cost *via* the southern route; and I wish to call the attention of the Government to the fact that, even on the face of these reports, meagre as they are, the cost cannot possibly be the same. I wish also to call their attention to the fact that while we have some difficulty in crossing the Strait of Canso, while that difficulty can be overcome to a great extent for the reasons I have stated, that even during the short season in which we have floating ice there are times when we can cross with steamers, during a greater portion of the winter, the ice jams leave clear water in which a crossing can be effected, this is not so in the case of the Grand

Narrows. Neither Mr. Schreiber, Mr. Donken nor Mr. Hyndman states distinctly that it can be used all the year round. Therefore, if the road is built by that route, I warn the Government that they will have to build a bridge at the enormous cost that Mr. Schreiber speaks of. Not only, therefore, will this work, involving this immense cost, have to be proceeded with, but the moment you build the bridge you interfere with the navigation of the Bras d'Or Lake and destroy the usefulness of St. Peter's Canal, constructed at a cost of three-quarters of a million, and used in a great measure by the fishermen and coasters and steamers. It will be utterly useless, for I have it on the authority of many seafaring men, that if there was a bridge built across the Narrows they would not risk their vessels on account of the damage they would incur from the rapidity of the current at that point, and that it would be far better for them to take them round by the Atlantic. Now, if there is any objection to the shore route, as surveyed by Mr. Hyndman, a good line could be had starting from a point at Loch Lomond down the Salmon River Valley to Mira River. This could be extended to Sydney with a short branch from the Mira River to Louisburg. This road would tap the coal fields, the mineral deposits, and a large portion of it would traverse a fine agricultural district. It would be in reality an extension of our national line, making Louisburg the terminus, as it should be, of our great transcontinental highway, thus carrying out the publicly expressed policy of both parties in the Local Legislature of Nova Scotia for fifteen years and also the publicly declared policy of both Governments in the Federal Parliament. When this money was asked, it was with a distinct and clear understanding that this line was to go by the southern route, having Sydney or Louisburg as a terminus. If the other route is adhered to, it will be a breach of faith, a violation of the compact. For years and years, whilst the extension of a railway to the Island of Cape Breton was agitated, nobody ever dared to raise a word in favor of any route but the southern route. It was at one time thought, from the peculiar formation of that island, which is opened up in the very heart of it by the waters of the Bras d'Or Lake, that by making Louisburg the terminus, a line running through Inverness would be necessary to open up the agricultural district of the counties of Victoria and Inverness; but nobody ever dreamed of a route running over a peninsula that is barren and unproductive, abounding in plaster holes, in a place that was once called Sodom, and that was designated by Governor Ainsley, in his report to the British Government, as being unfit for man and beast. That is a description of the country through which this railway was projected to run.

An hon. MEMBER. Carried.

Mr. FLYNN. I do not often trouble the House, and besides, this is not a Government day. I am discussing a matter of very great importance to the people I represent, and if the gentlemen on the other side who say "carried" would please keep quiet, I will bring this subject to a close when I think I have fully and faithfully performed my duty as the representative of the county of Richmond; and I can assure the hon. gentlemen that, by these unseemly shouts of "carried" they will not prevent me doing my duty on the floor of this House. When I do trouble the House it is because I have something to say. This is a question of great importance to the people of the county I represent, if it is not to the gentlemen who shout "carried." Now, during the last election, when it was known that the route to the Grand Narrows was selected, the people of Richmond were assured that a branch would be extended from the Strait of Canso to St. Peter's. The gentleman who opposed me in the contest assured the people of Richmond that that was the intention of the Government, and stated that a telegram to this effect was received by him from two members of the Government:

"We acknowledge H. N. Paint, Conservative candidate in Richmond. Hope friends will secure his return. Will support grant towards branch railway to St. Peter's."

When Mr. Paint received this telegram, he sent this message to his friends:

"Acquaint friends, have guarantee from Government of line of railway to St. Peter's. Tell Conservatives and Grits elect Paint. Send word to Rory Ferguson, 'L'Ardoise.'"

The people did not elect Mr. Paint, notwithstanding that; but they believed that if the Government authorised Mr. Paint to say that they would make a grant for a railway from Canso to St. Peter's, they would do so because it was in the interest of that section of the country, and, therefore, the people believed that no matter who was returned, the Government would carry out that promise. We were also promised the extension of a branch to Arichat. That is the county town of the county of Richmond, and it is the place where I reside; yet, much as I would desire to see a branch there, I would much prefer, if the two cannot be accomplished, that the Government should build a line to St. Peter's, because, for obvious reasons, it would be more in the general interest. On the one hand, it would tap the waters of the Bras d'Or Lake, and on the other, the waters of the Atlantic. St. Peter's is the centre of a fine agricultural district; it has a fine harbor, it is easy of access, and is open all the year round. For these reasons, if the two branches cannot be built, I, as the representative of the county, would prefer the line to St. Peter's. I would prefer it for another reason. I believe that if a branch is built from the Straits of Canso to St. Peter's it must ultimately extend to Louisburg, which is only fifty miles further. The other night I listened with a great deal of pleasure, as I always do, to the hon. Minister of Finance on the motion made by the hon. member for Marquette (Mr. Watson), when he spoke in such glowing terms of the rapid progress and development of Manitoba and the North-West; but that rapid progress and development, as the hon. gentleman stated, has been obtained at a cost of over \$70,000,000 to the people of the older Provinces, and there is no portion of the population of this country on whom the burden of that taxation falls more heavily than on the mining and fishing population. They are consumers of almost everything, and I believe the people of the Island of Cape Breton will feel that burden more than any other part of the Dominion. But they might have borne that taxation with some degree of resignation, if the proper route for this railway had been selected. For it would not only have given employment to the people, but it would have developed the resources of the island—its mining, fishing and agricultural resources. No route could be selected that would be better for the country than the line by St. Peter's. I, therefore, trust that the rumors circulated in the county of Richmond during the last election, were not merely to influence the electors of that county as to the way they should vote. I trust that the Government were sincere when this promise was made, as I believe I am right in saying some of them were. The hon. Minister of Finance used to take some interest in the Island of Cape Breton, and I believe he still has an honest and earnest desire to develop its resources. If that is the feeling of the Government, I trust that steps will be immediately taken to carry out the promise made during the election campaign, that in the very near future they will ask this House for the grant of a sum of money to build a branch railway from the Strait of Canso to St. Peter's.

Mr. McDOUGALL. I am very glad that the hon. member for Richmond (Mr. Flynn) has brought this question before the House, and has asked for the information called for by his motion. I beg to move, seconded by the hon. member for Cape Breton (Mr. McKeen), that the following be added to the motion of the hon. member for Richmond:—

And also a copy of all statements and arguments laid before the Government against the Grand Narrows route by the Cape Breton delegation in January last; and also a statement showing the particular route advocated by the said delegation.

In making this motion, I desire to say a few words with regard to the remarks of the hon. member for Richmond. In his opening remarks, the hon. member said that the route adopted by the Government for the construction of the road does not meet with the approval of the majority of the people of Cape Breton. I am prepared to take issue with the hon. gentleman on that question, and I would just point out to my hon. friend the result of the last elections. My hon. friend well knows that the question of the railway route in the Island of Cape Breton was the question upon which, to a very large extent, the elections were fought in that island, particularly in my own county. As regards the general fiscal policy, it was a one-sided question with the people of the island, what party should hold the reins of power in this Dominion. The elections of previous years showed that fact from year to year, so that the question of a railway route, I might say, was the sole and absolute question which was before the people on the occasion of the last election. There were in the county seven candidates, two of whom advocated the construction of the road over the line adopted by the Government. These were my hon. friend, the member for Cape Breton (Mr. McKeen) and myself. Opposed to us were three gentlemen who were pledged, if returned to Parliament, to secure an alteration in the decision of the Government, and to have the road constructed from the Strait of Canso to Louisburg or Sydney on the south shore. Otherwise, they declared they would oppose the Government of the day. This was the manner in which the question was before the people of the county I have the honor to represent. It was in the same way before the county of Victoria, except that the people of Victoria did not run a candidate in opposition to the line adopted by the Government. In the county of Inverness, it was also a one-sided affair. The people of Inverness, and Victoria, and the majority of the people of the county of Cape Breton, were one on the question of routes. With regard to the crossing at Grand Narrows, my hon. friend says it is quite impossible to operate a steam ferry all the year round there. What are the facts? Last winter, I venture to say, was one of the severest we have had for the last 30 years, and yet there was not a day but what a row boat could have crossed the Narrows at the place where it is expected to operate this ferry. That is the condition of navigation at Grand Narrows. The hon. gentleman is in error about the report made by Mr. Hyndman. That report was made under a misunderstanding of statements made to that gentleman when he was making the examination of that route, which I pointed out to this House by letter addressed to that engineer a year ago. With the permission of the House, I will read the letter addressed to Mr. Hyndman:

"DEAR SIR,—You will remember that when discussing the subject of the Grand Narrows crossing with you before leaving Cape Breton last fall, I learned from you that acting on information received from Mr. McNeill, you reported to the Department of Railways that the ice in the Grand Narrows attained a thickness of some 6 feet at certain periods in the winter. I subsequently called Mr. McNeill's attention to this, and he told me that you could not have possibly understood him, as no permanent ice forming at or near the Grand Narrows scarcely ever exceeds one foot in thickness, and at the crossing points in the Narrows there is seldom any ice at all; none, however, to impede regular crossing with an open boat during any period in the winter. The only reference which Mr. McNeill or any other person could have made to ice forming a thickness of 6 feet is, that in some parts of the lake when the ice is broken the force of strong winds would cause such ice to be piled up in a crumbled form on the shore to a height or thickness of 6 feet, but does not apply to the immediate points at which the crossing is made. I can only refer you for corroboration of these facts to the ferrymen of forty years' experience on both sides of the Narrows. I might further add that the mails from Port Hastings for North Sydney have been crossed over the Grand Narrows in an open row boat during the last two winters every night (excepting Sunday), and although the winter of

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1885 was an exceptionally severe winter, the service had been accomplished without a single interruption by ice since first established. The same may be said with regard to the mail service performed across the ferry for a period of some fifteen or twenty years in day time, previous to the establishing the present night service in connection with the mail to and from North Sydney. And I trust you will be pleased to represent this matter to the Department in conjunction with your former report, if you have not done so already."

Mr. FLYNN. That is your own letter.

Mr. McDougall. This is my letter, and these statements I repeat on the floor of this House. I would like to ask the hon. member for Richmond if the statements he has made he made on his own authority, or from any knowledge he personally formed of the character of the crossing at the Grand Narrows? Has he any authority to give this House for his statement, further than that report made under a misapprehension by an engineer who, for the first time in his life, saw the Island of Cape Breton that fall? My hon. friend says that the Local Government always adhered to the route from St. Peter's to Louisburg, and that this is evidence why the question of the route by the Grand Narrows was not before the people until last year. I beg to say to my hon. friend that the question of the route by the Narrows was before the people since 1875, and I was the first to bring it before the people. Subsequently to that, in 1877, I was appointed one of a committee by a mass meeting held in the shire town of the county I have the honor to represent, to confer with both Local and Dominion Governments, with the view of extending the road from the Strait of Canso by way of Grand Narrows to Sydney. The reason why the Local Government adhered to the building of the road by the southern route to Louisburg was that, at the same time, they had granted a subsidy in aid of the construction of the road to Louisburg. They granted a subsidy in aid of a railway to Whyccomagh and Broad Cove on the northern side of the island. This is an evidence that the Local Government could not have had the unanimous opinion of the people of the island on the subject of the building of that road. They could never get the people to be of one mind on that subject. Nor could they venture to unite them, so they kept dangling before the eyes of the people, both of the north and of the south, subsidies which were insufficient to secure the construction of that road. I made a proposition myself, to the Attorney General of 1877, to put these subsidies together, and pointed out that by doing so he could get a road through the interior by way of the Grand Narrows which would be better than either the northern or the southern route; but I could not get the hon. member to agree to that. He favored the southern route himself, and, therefore, he could not adopt the Grand Narrows route, and would not agree to put the subsidy granted for the northern with that granted for the southern route in order to secure one trunk line through the island as I suggested. On that question, I may say, I was brought before the people in 1878 and was returned to Parliament, and the Attorney General was defeated by the votes of the very people at whose instance I made the suggestion which he refused to adopt or propose to the Government of which he was a member. My hon. friend quoted from the report of the engineers the statement that the cost of the Grand Narrows route would be no more than that of the southern route, but they went even further than that, Sir, and stated that there was a difference in the cost of construction per mile in favor of the Narrows route which would fully equip a ferry across the Grand Narrows. I discovered that my hon. friend has quoted the report of the engineers in favor of a route by way of East Bay and Benacadie, which is a circuitous route and a most expensive route.

Mr. FLYNN. I quoted in reference to the Grand Narrows route.

Mr. McDougall. Yes, but my hon. friend may not be aware of the fact that that is an entirely different route from

that which the Government adopted. Last year the engineers reported on the route from Sydney, by way of north side of East Bay, and by Benacadie to Grand Narrows, but subsequent to that, one of the first surveys, after the policy of building the road as a Government work was adopted to construct this road, was the survey from Grand Narrows to North Sydney and Sydney, and it was found that this route was much cheaper and much easier, and for that reason the Government adopted it. My hon. friend says the report of the engineers cannot possibly be correct with regard to the estimated cost of the construction of the railway, but he believes in the report of the engineers on a question of the ice in the Grand Narrows, although that portion of the report is contradicted. I cannot see how he can reconcile these two statements. If he believes the engineers in one case, why does he not believe them in the other case? He cannot possibly have looked over the report of the engineers without seeing my letter in reference to the report of Mr. Hyndman, but my hon. friend passed over that letter, although he might have referred to it and to the answer subsequently made by the engineer. I look upon it as unfair to adopt such a course in arguing this question before the House. If the report of the engineers was correct in one case, why is it not in the other? My hon. friend laid great stress on the fact that, because the Local Government in offering subsidies towards the construction of the road in Cape Breton, offered them in favor of the construction to Louisburg and by St. Peter's, therefore the present Government should have adhered to that route. I venture to say that one of the reasons why no person or body of people was willing heretofore to undertake the construction of the road in the Island of Cape Breton, was because the Government insisted on building by the southern route to Louisburg. I will give a reason for that. In the first place, the Government did not provide for crossing the Strait of Canso in any other way than by steam service; and we have the authority of the hon. gentleman to-night for saying that it is not possible to navigate the Strait of Canso without interruption during the winter. If that be the fact, how could these people be expected to build a road through a section of country where there is little or no traffic to be expected? I mean by the southern side of the island. There is no local traffic except a small traffic in fish, and most of those who deal in fish have their own vessels, and would rather ship their fish by their own vessels to Halifax, which is their ordinary market, than by rail. These are the reasons why, to my mind, that road was not adopted by any company or government which attempted to undertake the building of a road in eastern Nova Scotia, and particularly by that company known as the Eastern Extension Company, which had the option of building either to Louisburg or to St. Peter's or to the Bras d'Or Lake, but they did not choose to carry it out for that reason. Any company or any government undertaking to build a road through the island would have to build by the route which would ensure the best local traffic, as foreign traffic could not be expected because of the difficulty of crossing the Strait of Canso. I venture to say that there is no section of the Province of Nova Scotia that holds out the inducements for local traffic that the route which has been adopted by the Government does. It runs by the side of the Bras d'Or Lake for more than half its length, and for that reason, during the summer season, and during the open navigation season, there are means of bringing traffic to that road from different directions that could not be brought by a road built through any other section of the island. More than that, the road by the present route will terminate for the time being in a harbor which is unrivalled, I might say, in the world, with access to Louisburg. The harbor of Sydney is one of the finest harbors in the world. Besides that, it taps the coal mines, it taps the railways leading to the coal mines.

If it went to St. Peter's and direct to Louisburg, it would not tap the mines of the country without incurring the cost of acquiring a road which is now built to Louisburg, but which is not in operation. Because of the expense of keeping it in operation, the company found it cheaper to do without the road than to keep it in operation after they had built it. By the present road, tapping the principal mines of the country, tapping the oldest mine in Nova Scotia, and tapping the other mines of the country, and terminating in the town of Sydney, I say the road could not have gone through any other section of the Island of Cape Breton that could hold out the same inducements as this route. In addition to that, we find the road running parallel to about one-half of the boundary of the county of Victoria, within five, and six and seven miles of that county. That is a matter of importance, because the sections of the county which are adjacent to that road are agricultural districts which are unequalled in eastern Nova Scotia. There is the Island of Boularderie, for instance, which is 27 miles in length, adjacent to this line of railway, and is a magnificent farming country. Then there is the Middle River, and other settlements within ten or twelve miles of this route. As to the section of the country west of the Grand Narrows, my hon. friend has told the House that it was so barren and full of plaster that it was quite unfit for anything. Now, Sir, I take issue with the hon. gentleman on that question also. If my hon. friend can find 100 acres of land from the Grand Narrows to the Strait of Canso, on the line which has been adopted by the Government, that is unfit for cultivation, I am willing to resign my seat in this House. I know every inch of that land; I have known it from infancy, and have gone over it a great many times. I am satisfied my hon. friend is not speaking from personal knowledge of this country, but from information given to him by parties who had other objects in getting up an excitement about this railway route, than the best interests of the country. That was my experience in dealing with this question on the hustings during the last elections. I found that there was no agitation in the Island of Cape Breton, or in my own county, with regard to the question of route, at least not such an agitation as he would have us believe. We had a delegation sent up here from Cape Breton and Richmond counties in January last, headed by the senator from my county, and by one of the local members. Those gentlemen asserted that they came here to put the views of the people of Cape Breton before the Government, and I desire that those views should be made known to the public, in addition to the reports and to the particulars for which my hon. friend has called. Now, after those gentlemen had put their views before the Government and went back, they declared that any man who would advocate the building of that road by the Narrows, could not get his election in my county. What was the result? I went before the electors, and notwithstanding the means of opposition that they used against me, notwithstanding the fact that the hon. senator had taken a stand against me and brought out two candidates against me, the people who favored the construction of the road by the Grand Narrows, elected me as their representative, and if that is not an endorsement of the action of the Government in adopting this route, I do not know what is. Not only did these gentlemen fail to get their election, but they lost their deposit; and another gentleman who undertook to come before the people on the question of routes, lost his deposit also; he took about one vote to three that my hon. friend and myself took. This is how that question was dealt with in the county I have the honor to represent. There were no two opinions on this question in the counties of Inverness and Victoria. When I was here in January to see the Government in reference to this question, and when those delegates came up from Cape Breton, they tried to lead the Government to believe they were making a mistake by adopting the Narrows route, that the people of Victoria

of all shades of politics were dissatisfied, I communicated with leaders of both parties in that county as to the feeling, and they replied to me on that occasion that there were no two opinions in the county, and that the people would protest in the strongest manner if the Government adopted any other route. Now, with these facts before him, I do not think my hon. friend should have taken such strong grounds as he did on this question. I hope when the information asked for by my hon. friend, and that asked for by myself, is brought before the House, the country will have an opportunity of seeing what little reason these people have for advocating another route than that adopted by the Government. I have no fear as to the result, I have no fear as to the general opinion of the public on this question, and the satisfaction which will be given by the route adopted.

Mr. CAMERON. I have only a few words to add to what has been said by my hon. friend the senior member for the county of Cape Breton. This question has been fully discussed before the electors of the Island of Cape Breton, and the verdict which has been given should have satisfied my hon. friend the member for Richmond (Mr. Flynn). It is true, as he has alleged, that this question of building a railway through the Island of Cape Breton has been before the public for a long period, and it is equally true that until the year 1875 the route proposed by those who agitated in favor of a railway through the Island of Cape Breton was from the Strait of Canso to Louisburg. But it is true also that both the Local and Dominion Governments failed, up to last year, to induce any company to undertake the construction of a railway from the Strait of Canso to Louisburg. That fact also ought to lead my hon. friend to conclude that there must have been serious reasons why neither a company nor a government up to that time could be induced to undertake the construction of that line. In 1882, the Local Government, and the Dominion Parliament as well, incorporated a company called the Short Line Railway Company, not for the purpose of building a railway from the Strait of Canso to Louisburg, but for the purpose of building a line from the Strait of Canso to Cape North. It is not true, therefore, to say that the construction of a line from the Strait of Canso to Sydney or Louisburg, *via* the Grand Narrows, was not agitated until 1885. The agitation for the purpose of building that line commenced as early as 1875, and as my hon. friend the senior member for Cape Breton intimated, he was the originator of that agitation. I may say that at that time I, myself, contributed my mite towards the agitation in favor of building a line in that direction, feeling then, as I do now, that no company or government would undertake the construction of a road where no local traffic could be obtained for it. In 1883, this Parliament subsidised the so-called Short Line Railway for the purpose of building a line from the Strait of Canso, *via* Grand Narrows, to Sydney, and not by St. Peter's, as intimated by the hon. member for Richmond. The object of that company was, as I have already stated, to construct a railway from the Strait of Canso to Cape North, but as part of that great line in which they had embarked they proposed to extend a section from Whycocomagh to Sydney. It was found, however, that the subsidy of \$3,200 per mile was not sufficient to enable that company to undertake the construction of that line. In 1884, in addition to the subsidy of \$3,200 per mile, this Parliament granted \$30,000 for fifteen years to a line from Oxford to Sydney, and the Eastern Extension, with its equipment, and, as the engineer of the company repeatedly informed me, with the intention that the line should be constructed *via* the Grand Narrows. This is evident from the fact that the Short Line Railway Company had surveyed the line in the direction of the Grand Narrows in 1883, nearly as far as the Grand Narrows, as that was the only direction in which they would build a line with any

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subsidy. When this question of route was before the House on a former occasion I stated my views fully, believing that if any Government or any company would undertake its construction, the road would be built in the direction where local traffic would be furnished to the line. On 11th February, 1885, the late member for Richmond, N.S., (Mr. Paint) brought this question before the House, believing then, as the present member for that county believes now, that the line would probably be built *via* Grand Narrows, if undertaken by the Short Line Railway Company. But feeling that neither this House nor the people were in a position to judge as to the best route I spoke in the following words:—

“ My own idea was and is still that the determination of the route through the island of Cape Breton should be left exclusively to the discretion of any company who would undertake to build the railway through the island. I apprehend that in past days the enforcement of particular routes upon railway companies may have been the reason why disappointment followed disappointment successively. It would be unwise, it would be unfair, it would be against the interests of the Island of Cape Breton to tie the company down to any particular route, and, therefore, I think it is premature even to mention the route now. When the Government are in a position to subsidise a company sufficiently to enable them to build that road, or when the Government undertake the construction of the road themselves, it will be ample time for the member for Richmond, the member for Cape Breton county, the member for Victoria, or the member for Inverness, to present the claims of the respective localities, and to give reasons why any particular route should be selected. On that phase of the subject I have determined not to speak. My object in rising now is merely to make a statement in behalf of the Short Line Railway Company, in reference to which the honorable member has spoken. I am authorised by the engineer and the general manager of the Great American and European Short Line Railway Company to state that no correspondence has taken place, and that no plans in regard to routes in Cape Breton had been talked of or submitted to the Government; that no location of the line had been made or considered by the company, and that none would be made until the different routes had been surveyed and reported upon; that while different routes recommended by members of Parliament and other interested parties would be carefully surveyed and estimated, it was the intention of the company to ask those members of Parliament and others interested to present such statements as each might desire to make in favor of the route which he preferred; and that such statements, together with the engineer's report, would be submitted to the directors of the company for approval before any route in Cape Breton would be adopted, subject to the approval of the Governor in Council. My object in rising on this occasion was simply to state this in behalf of the company and to assure my hon. friend from Richmond (Mr. Paint) that it is in the interest of a railway extension in Cape Breton to leave the selection of the route exclusively to the discretion of the company undertaking to build the railway subject to the approval of the Governor in Council.

This was my opinion at the time when it was supposed that the construction of this road would be undertaken by a company, and the surveys made up to 1885, from which the hon. member for Richmond, N. S. (Mr. Flynn), has quoted, had been made with a view to assisting that company to determine on what route they would undertake the construction of the road. But several surveys have been made by the Government since that time, and the route to which the hon. gentleman has referred has not been adopted by the Government. It is true that the people of Richmond are not satisfied with the location of the line. It may be equally true that a portion of the people of Inverness, or Victoria or Cape Breton, may not be satisfied with the selection made by the Government; but it is equally true that the responsibility for the adoption of that particular line rests upon the shoulders of the Government, and if they claim that the selection they made was one in the interest of the people of the island, on them rests the responsibility. If the hon. member for Richmond (Mr. Flynn) had quoted from the report of the chief engineer of the Department, he would have found that that officer had, to a large extent, recommended the line *via* Grand Narrows, even before the late surveys were made. He will find in the report from which he has quoted, that the chief engineer, referring to the leading facts in connection with these routes, speaks as follows:—

“ Port Hawkesbury to Louisburg:—The initial point of this survey is Point Tupper, on the east side of the Straits of Canso and immediately opposite to the present terminus of the Eastern Extension Railway, this

point having been adopted as being the easiest of access to steamers during the winter. The total distance by the surveyed line to Louisburg is eighty-three miles, the St. Peter's Canal being crossed at the twenty-ninth mile, in close proximity to the present road bridge. The general character of the country traversed is rough and broken, and it was found necessary to use grades of 78 feet per mile to avoid very heavy work. The highest elevation above sea level is 308 feet, which is attained passing over the summit between the basin of Loch Lomond and the Mira River."

The work on this route *via* St. Peter's is a very difficult one and a very expensive one, the cost being placed at \$20,000 per mile. The object of this Parliament was to reach Sydney. It will be found by the reports of the chief engineer that the shortest route from the Strait of Canso to Sydney has been adopted, and also that the route which will secure for the railway the greatest amount of traffic has been adopted. In regard to the route *via* St. Peter's, the reports says:

"The bridging on this route is not of an expensive character, the largest structure being that over the Inhabitants River."

The estimated cost was \$20,000 per mile. In regard to the route which was then surveyed from Port Hawkesbury to Sydney, *via* Grand Narrows, the chief engineer says:

"This survey starts from Point Tupper, and, for a distance of four miles, follows the surveyed line to Louisburg, then branches northwards, runs north of the Great Bras d'Or Lakes, crosses the Grand Narrows at the 51st mile and reaches Sydney Harbor at the 92nd mile. Mr. Donken, however, explains a portion of the surveyed line having been run with a view of passing over the high ground between River Inhabitants and River Deny's, afterwards found impracticable, a deflection to the Big Brook Valley was made. This deflection, he says, can be avoided by adopting a direct line, which presents no difficulty and a saving be effected of about five miles. The line, generally, passes through a good agricultural country, with indications of various minerals."

This is in direct contradiction to what the hon. member for Richmond (Mr. Flynn) has quoted. The chief engineer also gives this information:

"From the information obtained by the engineers in the field, it is believed that no difficulty would be encountered in working a steam ferry across the Narrows at all seasons of the year. A bridge at this point would be a most costly work, whilst a ferry would probably serve the purpose of the traffic of the road, if it can be worked without interruption the year round. If a ferry be considered sufficient, the cost per mile of this line would be about the same as that to Louisburg, *viz.*, \$20,000."

So the chief engineer's report made on the previous surveys, which were not made with a view to the Government undertaking the building of the road, but with a view to assisting a short line company to undertake its construction, conclusively proves that the statistics which the hon. member for Richmond (Mr. Flynn) has quoted are not correct. But since that survey has been made the chief engineer has recommended, for reasons best known to himself, a line direct from the Strait of Canso to the Narrows, by Big Brook, which shortens the line by five miles to Sydney and is much more easily constructed. The hon. gentleman will find, when the papers come down, that the last report of the chief engineer is conclusively in favor of the line adopted by the Government, and every person who is reasonable, not only in Inverness, Victoria and Cape Breton, will agree with the chief engineer that the best location was made, but every sensible person in the county of Richmond will also consider it satisfactory.

Mr. McKEEN. I have no intention of addressing the House at any length, after the time which has been occupied in discussing this question. It is a most unfortunate fact that the noble Island of Cape Breton is so nearly bisected as to make it almost two islands, and being two islands, it is entirely impossible to locate a line of railway which will suit both the north and the south sides of the island. Much might be said in favor of both routes, and I feel a good deal of sympathy with the hon. member for Richmond (Mr. Flynn), for unfortunately, his county is situated on the southern side of the island, and does not derive that benefit from the proposed line of road that the other side does. I think, from what I have learned from

the engineers who had charge of the surveys of these routes, that the expense of building the road would be pretty nearly the same. From what I gathered from the engineers, during the agitation with regard to the location of this road, last autumn, I concluded that there was not more than a mile difference in the length of the lines. I learned also that the gradients were about the same, and that the expense of construction, with the exception of building the bridge across the Narrows, if that should ever be found necessary, was almost the same. I must conclude, therefore, the hon. member for Richmond (Mr. Flynn), is misinformed, when he says that the expense of building the central line is much greater than if the southern line were built. I simply take the estimates given by the engineer in charge of the line, in expressing that opinion. Personally, I may say I have no great preference for either. Either line suits us, and, therefore, I did not take any decided ground. I may say, however, that I fail to see the necessity of taking up the time of the House upon this question, when we know that the matter has already been decided by the Government, that the line is under contract, that the work of construction has been going on for the last four or five months, that thousands of dollars have been spent in building the road from Sydney to the Grand Narrows, and that it is absurd to suppose that the route could be changed on account of any representations that could be made at this late hour. We must remember that a strong delegation was sent up here last winter, as strong a delegation as the advocates of the southern route could select; they presented the case of the southern route, ably, I have no doubt, but they failed to move the Government. It is useless, therefore, to think that any representations that can now be brought forward would make them depart from their present position. But what I more particularly wanted to say was this: the road is now under construction, or about to be put under construction, from the Strait of Canso to Sydney, and that road will fail in its object if it is not continued as far as the important harbor of Louisburg. We know that is the only open port we have on the Island of Cape Breton. Sydney is closed for some four months in the year, but Louisburg is open—free to the navigation of the world, we might say—for at least ten or eleven months in the year. We know that the route from Sydney to Louisburg intersects one of the richest mining localities in the Dominion—mines which represent a capital of some eight or ten millions of dollars, and some seven or eight collieries, which, during the winter, have no outlet to the sea except by Louisburg. I feel satisfied that when the Government take this matter into consideration they will see the importance and the necessity of continuing the present system of railway on to Louisburg, touching the different collieries of our county. Without that extension the system will be incomplete, and must partially fail in the accomplishment of the object sought to be achieved.

Motion, as amended, agreed to.

HARBOR IMPROVEMENTS AT TORONTO.

Mr. McMULLEN moved for:

Copies of all reports, letters, correspondence, &c., of the chief engineer, and any sub-engineer or engineers to the chief engineer or the Department of Public Works, relating to or connected with the harbor improvements at Toronto, during the years A.D. 1885 and 1886; also copies of all reports and correspondence of the inspector or inspectors-in-chief to the chief engineer, and also to the Department, relating to the said harbor improvements, or the material used, also samples of any bolts, spikes or other material forwarded to or seized by the Department as not being in compliance with the specification under which the work was let.

He said: My object in moving the present resolution is to have the information to which it refers brought down. I have heard that in the matter of pile-driving, in connection with this work, the piles were not driven to the depth re-

quired by the conditions of the contract, and also that some of the materials used, such as bolts, were not in accordance with the contract. A large amount of money has been expended in connection with this work, and I believe a further sum is going to be expended. I notice that this year the vote is small, but last year Cook & Jones were paid \$134,199.43, and that they also drew, on another contract, \$288,495.35, which is a large sum to expend in connection with this work. It appears in the spring of 1884-85, a severe storm arose and a large portion of this work was swept away. I believe that work was not constructed in accordance with the provisions of the contract. I am informed that the piles, instead of being properly driven to the depth required by the contract, were driven only a short distance, and that the tops were sawed off. I am also informed that blind bolts were used, and that one box of these was seized by the engineer in charge, and is now, either in his possession or in the possession of the Department of Public Works. I do not make this motion for the purpose of finding fault with the Minister of Public Works, but simply to bring this point before the House and the Government so as to protect the country against such useless expenditure of public money. In the construction of harbors, where a contract has been let, it is necessary that the work should be solidly and substantially constructed, and if any inefficiency is permitted by the engineers in charge, the country will certainly suffer great loss. I do not know whether, in the final settlement, any deduction was made by the Government on account of any imperfection in the work. But I believe that it was constructed so badly that when storms came the whole thing was swept away. I believe Mr. Perley was engineer at the time, and that he has in his possession some of the blind bolts I have referred to. I would like to have a return brought down giving all the facts connected with this matter. If there is no truth in the statement that I have given, and I have it on very good authority, the facts will show. We expend hundreds of thousands of dollars for the construction of harbors, and it is a serious matter if the work is so imperfectly done that the whole structure has been washed away, and the country is required to make restitution for such a destruction of property.

Sir HECTOR LANGEVIN. I have no objection to the hon. gentleman bringing up this matter. He put his case in a very proper way before the House, and so far as I am concerned I do not complain at all. There is some truth in the statements that have been made to the hon. gentleman about some deficiency in the work. That was traced to the clerk of works who was there at the time the work was performed, and was responsible for its execution; but this has been cured, to a very great extent, since the report was made to the Department. There were storms, and a portion of the stones, which were small, were carried away. As soon as that was reported to the Department, it ordered large stones to be used, and I understand from the chief engineer that since then the work has proved to be good work, and will stand the storms of the lake. Deputations from the City Council, and I believe from the Harbor Board of Toronto, went this spring to examine the work, which it had been represented had been carried away; but they found to their satisfaction, and mine, that it was not so. Of course, as the hon. gentleman knows, severe storms must have greater or less effect on works of this kind, and, therefore, repairs are occasionally required. The other day, when my attention was called to the notice of the hon. gentleman's motion, I enquired of the chief engineer of the Department what condition it was in now, and he told me it was in good order. I may say that the city of Toronto has promised, through deputations at different periods, during the last five or six years to place to the credit of the Department for that work,

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\$100,000, which, with the sum we are now asking from Parliament, is expected to complete the work in a satisfactory manner. I would ask the hon. gentleman to strike out of the motion the words, "and of any sub-engineer or engineers to the chief engineer or the Department of Public Works." Otherwise we could never obtain from a sub-engineer or an inspector the whole truth, because he would be afraid it might injure his prospects; but the whole report is assumed by the chief engineer.

Mr. McMULLEN. I am quite willing to consent to the suggestion of the hon. Minister of Public Works.

Motion, as amended, agreed to.

CLEMENCY OF THE CROWN.

Mr. SPROULE moved:

That in view of this being the fiftieth year of the reign of Her Gracious Majesty the Queen, and that it is to be observed as a "Jubilee" or general rejoicing throughout Her Empire, it is expedient that a humble Address be presented to His Excellency the Governor General, praying that the clemency of the Crown be extended to those unfortunate criminals now incarcerated in the various penitentiaries of the Dominion, and that the said executive clemency be extended to those male and female convicts whose conduct has been meritorious during their imprisonment, and that it be considered under the following heads, viz.:

- 1st. Life sentences to be commuted to a reasonable term of years.
- 2nd. That all who have served ten years be set at liberty.
- 3rd. That all convicts with a record of good conduct since their incarceration, be allowed a remission of ten days for every month's imprisonment since 1st January, 1887.

That the Minister of Justice be instructed to submit, through the Warden of the Penitentiaries, a list of those deserving or entitled to Executive clemency, according to the foregoing requirements, in order to make it a year of rejoicing to those poor unfortunates confined in living tombs.

He said: My object in making this motion at present is to have performed a merciful act towards a class of Her Majesty's subjects who are to-day deprived of their liberty, many of whom have few friends to speak on their behalf, either inside or outside of the House. The unfortunate acts which have produced that chasm between them and society, over which they will scarcely ever be able to make a bridge, have been such as to alienate from them the affections, generally, of humanity. I make this motion at this particular time, because I think it is an opportune one, in view of the fact that we are holding this year a jubilee or general rejoicing, and in order to enable every element of society to take part in that rejoicing, so that we may extend the jubilee to those who, under ordinary circumstances, could not be expected to participate in it. I may be asked, is there any precedent for this motion? In answer, I would say that only a short time ago, in that great country, India, which is under the ægis of the British Crown, such a motion has been made, such a principle has been adopted, such a principle has been acted upon, advised and sanctioned by no less a person than the Viceroy of India himself, Lord Dufferin, who is favorably known in this country. If an authority such as he, has seen fit, in his wisdom, to extend this great clemency to those poor and unfortunate criminals, and that he expects no unhappy results will ensue, or, in the language of those who have acted upon it, that it is not expected additional crime will be the result, we may fairly be justified in recommending it in Canada. I make it on behalf of the clergymen and others who have sent a very numerous signed petition to the Governor General from both Kingston and Toronto, praying for the release of these convicts, and also on behalf of the hundreds of thousands who, unfortunately, have friends and relations confined in those living dungeons, and who are, from day to day, petitioning in the strongest possible language for the relief of these unfortunate criminals. It may be said that we, as a people, who profess the Christian religion, are always preaching clemency and mercy. If this is a characteristic of Christianity, we are entitled to extend that

clemency and mercy to even the most insignificant of Her Majesty's subjects. But, it may be said, society is likely to suffer by the release of those prisoners. In answer to that, I would say that there are very strong grounds for believing the reverse. Many of those unfortunates who are to-day paying the penalty of their crime, receive as much punishment by their confinement for a few months as they would have received if confined for fifty years. Besides it is likely that many of them who have been sent there have been sent there for the commission of acts, the result of sudden temper, impatience and sudden fright, or for acts committed when they had little or no control of themselves at the time, through excited condition of temper, or liquor, or other causes, and who, under such circumstances, have received ample punishment in a very short time to make them, in all future, good members of society, should the mercy of the Crown be extended to them. Some hon. gentlemen in this House have, in talking the matter over, said the criminals who were released in India were only those imprisoned on account of debt. I find, on looking through the report, that such is not the case; I find that criminals of all classes were considered and liberated. It has been said by some that only a few were released. I find, on looking over the report of the *London Times*, that there were no less than 23,307 discharged in India on the 16th February. While that large number was discharged, and discharged by the advice and with the consent of the Viceroy of that great country, we might fairly consider the reasonableness of extending clemency to the few hundred who are confined in our penitentiaries. It is said that the Government find it a difficult task to employ those parties in the penitentiaries, on account of the feeling that exists that prison labor should not be brought into competition with outside labor; and since the lock trade was closed in Kingston, it is a difficult matter to give employment to those prisoners. If so, it is most important that we should devise some other means of reducing the number, and not only reducing the number, but exercising, at the same time, a great act of clemency. I only ask for this consideration for those prisoners who have had a good record during their confinement. Many are confined for trivial offences, who have no friends, or relatives, or money to be used in their behalf, and, consequently, they are allowed to spend the full length of their term, when others who are, perhaps, confined for much more heinous offences against society, are allowed to get out before their term has expired. The Minister of Justice said a few days ago there was a terrible difference in the length of sentences given by judges in the Maritime Provinces and those in Ontario. This shows that it is simply a matter of opinion as to the length of time which each criminal should be condemned to remain in those cells in expiation of his crime; and when one is confined for fifteen years for an offence for which another is let off for two years, it cannot be said that we are doing any injustice in asking the Crown to extend its clemency to all on the same scale. And so I ask on behalf of those unfortunate criminals and of their friends throughout the country who are asking anxiously for their release, that the clemency of the Crown may be exercised in their behalf. We find that petitions are sent in day after day, and week after week, for clemency in regard to these cases, but there are a great number in whose behalf petitions are never sent in. I have before me a letter from a reverend gentleman who speaks of two cases now in the penitentiary. One man is sent there for fifteen years for the theft of a very small article. Another is sent for a term between fifteen and twenty years for burning a building, although he was at a time of life when he could hardly be expected to understand the evil he was committing. No effort has been made on behalf of these criminals, because they have no friends to interpose, and no money to induce others to interpose in their behalf; and in all probability they would be

allowed to spend their time, or to grow old while they were confined in these dungeons, without an effort being made to secure their release, and to give them another opportunity to live as peaceful and grateful citizens under the reign of Her Majesty. It is said by the Viceroy of India that if anything is more than another characteristic of the Victorian era, it is the onward march and progress of the moral influences that go to make up the well-being of a nation. If that be so we may fairly claim some consideration at the hands of liberal Canadians, as well as at the hands of people in India. In reference to this question I need not take up the time of the House long, but I may say that in consultation with some hon. gentlemen about it, it was expressed as a wish that as many members of the House as could be got would speak on it, no matter how briefly, in order to give expression of the people of this country through their representatives of their feeling upon this subject. I believe there is scarcely a member of this House who has not had, at one time or another, to present a petition on behalf of these criminals; and, if hon. gentlemen do take an interest in behalf of these criminals, as I believe they do, I hope that each one of them will give expression to his opinion on these resolutions. If the Governor General sees fit to consider this matter on the lines laid down in these resolutions, I do not think any injustice will be done, but that a great act of clemency, a great act of mercy, will be displayed in behalf of a class who have few to support their claims or interest themselves in their favor. I move the resolution, and trust it will receive every consideration at the hands of this House and at the hands of the Minister of Justice.

Mr. THOMPSON. It is impossible that I can do ample justice to the sentiments which actuate the hon. member who has made the motion and many hon. members who are inclined, I am sure, to support it. I say it is impossible that I can do their sentiments justice, because, while appreciating them very highly indeed, I am utterly unable to concur in this motion being adopted. These sentiments which actuate the hon. member who has brought the motion forward are those which, I find, in the experience which I have had in office, actuate about three-fourths of the members of this House, who are under the impression, apparently, that the unfortunate persons who are confined in the penitentiaries of this Dominion are confined there either through mistake, or some unforeseen misadventure which it was impossible for them to provide against. It is oftentimes my disagreeable duty to undeceive them, and I must confess that I very seldom succeed in convincing them or shaking the idea they have that the persons whose cause they have been advocating are the victims of mistake or cruelty. I think, if I may express the sentiment without offence to the gentlemen who are supporting this motion, that the most unsuitable way we could devise of celebrating Her Majesty's Jubilee, or attempting to confer any benefit upon the public, would be let loose upon the community a class of people who have shown themselves able, by long experience, to inflict the greatest injury upon the community; for, unfortunately, this is the class of persons whom we generally have in our penitentiaries. I know, in regard to the hon. gentleman who has made this motion, I know from his asking me to show my clemency in regard to this motion, as well as in regard to particular cases which have come under my notice, that he shares the sentiments which are expressed in the resolution, that these persons are really unfortunates, that they are to a certain extent the victims of the tribunals of this country. In considering the very many cases which are brought to my notice in connection with petitions for clemency, I am bound to regard them in a very different light. I think, Mr. Speaker, that there is no country in the world in which the criminal classes are treated with such large

consideration as they are in Canada. The criminal procedure in Canada, from the first moment of a man's arrest until the last moment of his detention in prison, is a procedure which devises means for his escape. In the first place he is brought for examination before a justice of the peace, one of whose first duties is to warn the prisoner not by any chance to say anything which will tend to aid his conviction. In the next place, before he can be put upon his trial, there must be a clear majority of the grand jury, a tribunal devised in his interest, the most ingenious tribunal that the wisdom of man has ever devised to enable criminals to escape—it is only after obtaining the assent of a body like the grand jury, that he can even be put upon his trial. And then, before he can be convicted, we must have the unanimous concurrence of the petit jury before which he is tried, a jury which is susceptible to all the sentiments of compassion or sympathy, which run through the classes of the community from which the criminal himself is drawn. And then, as I reminded the House the other evening, we have every kind of appeal made, not only for executive clemency, but for the clemency of the judge before whom the trial has taken place. The conviction has been forced upon me by the experience I have had in connection with such matters, that the judges before whom these trials take place—I can speak confidently, at least, as regards the administration of criminal justice, in the larger Provinces—are actuated by motives of clemency and humanity; and I must say that in the majority of cases that have been brought before me, in which executive clemency has been asked for, if I had the power to do so, I would have increased the sentence instead of diminishing it. So often are persons misled, and it may be that the hon. member who has brought this resolution forward has been misled by the same consideration—so often are persons misled by philanthropic motives, by kindly feelings, towards those whom they know are undergoing a punishment which must, for the time being, at any rate, whether it tends to the elevation of their lives or not, be sufficient to excite the prisoner to penitence—through motives of sympathy of that kind I am continually applied to by members of this House, as well as persons outside, who are altogether mistaken in their view, both of the hardship which the prisoners are enduring and of the circumstances which have led to their being immured in prison. I may refer to one case which came under my observation in connection with the urgent application of some three or four members of this House within the last two or three weeks, a case in which, I may say, those gentlemen were entirely convinced by outside information, that it was a case of extreme hardship and extreme severity on the part of the judge who had imposed the sentence; and their application was backed by a strong petition, and by as urgent an application as they could make. But an examination of the papers of but a few moments was sufficient to convince them that the prisoner, whatever the severity of the sentence may have been as regards that particular offence, was then undergoing his eighteenth penalty, and that seventeen times before then he had showed himself utterly obdurate and insensible to any sentence the magistrate could impose upon him. In that connection I may refer to the details of the resolution. It does not proceed upon any logical basis as regards the treatment of these prisoners. Life sentences are to be commuted to a reasonable term of years. The practice in Great Britain, so far as I have been able to ascertain it, is to consider a long term of years as equivalent to a life sentence, and I am disposed to follow that policy. But a great deal must depend on the nature of the offence which the prisoner has committed. For instance, if a grave offence, but far short of murder, has been committed by the prisoner, it may be reasonable that 10, or, at the utmost, 15 years, would be sufficient commutation for a life imprisonment. On the other hand, if

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the prisoner has committed the offence of murder, and through any circumstances his sentence has been commuted to imprisonment for life, we are asked again to commute that sentence to a shorter term. He may be a young man, and a term of 10 or 15 years would be an entirely inadequate commutation. And, for these reasons, every life sentence is to be considered in relation to the age of the prisoner and the gravity of his offence, and in relation also to the question whether, in receiving that life sentence, he has also been a subject of executive clemency before, by the commutation of a sentence of death. So that in adopting the sweeping provisions that life sentences are to be commuted to a reasonable term of years, we are asked to adopt a theory for which it is unnecessary to pass a resolution, because in practice it is applied. Then, again, the second provision of the resolution is that all those who have served ten years be set at liberty. Now, that would dispense clemency in a very unequal way to classes of criminals many of whom are totally undeserving of clemency. I dare say that a majority of the members of this House, who have been led by a sense of duty to approach me in connection with cases of this kind, have a very unfavorable impression of my disposition to accede to their request. But I am in a position to furnish them, I am sorry to say, with instances of the unfortunate result of executive clemency. A short time ago, not more than four or five months ago, I was induced by strong representations, not only from outside, but from the prison authorities themselves, to commute a very long sentence which had been imposed upon a prisoner for a very shocking offence. I was induced, principally by representations made by the prison authorities, joined in by the surgeon of the prison, that this prisoner had symptoms indicating that his reason was giving way, and that, although, perhaps, the time had not come when he should be released, yet that it would tend to stay the progress of insanity if I should even indicate a time at which clemency would be exercised. Moved by these representations I thought it proper to recommend—he having already served something like 12 years, if my memory serves me, of his term—that he be forthwith released. He had not, I think, been two weeks released before he was brought before the courts again for another very grave offence, and I must say, the report brought to my own mind the impression that I was, to some extent, an accessory to the second offence. It is not quite two weeks, perhaps not one, since, in connection with North-West matters, we had a shocking case of a murder committed by a person who, within the last few months, was a subject of executive clemency. His release was procured by representations not only that his family were in the most extreme distress, but that he himself had been brought almost to death's door by his confinement. He was released, and the result was that within a few weeks after his restoration to liberty he committed upon the plains of the North-West an atrocious murder, in respect of which he is now a fugitive from justice. These are considerations which every one has to bear in mind. They are not altogether isolated cases, they are fair illustrations of the result of the executive clemency unwisely exercised, or exercised with respect to representations that are not, perhaps, entirely accurate, and which, perhaps, were induced by an overzeal for what are called in this resolution "unfortunate persons confined in living tombs," who elicit feelings of charity and sympathy. But there are considerations which the House has to bear in mind before it adopts a sweeping remedy by discharging all those persons, so-called unfortunates, in respect of whom, if this House passes this Address, I would feel entirely absolved from any responsibility after the protest which I make against it. With respect to one feature of the resolution I have this to say: the hon. member asks that there shall be a remission of ten days for every month's imprisonment

since 1st January, 1887, in case, of course, of good conduct. I would ask the attention of the House to the provisions of chapter 182 of the Revised Statutes, which is the Penitentiary Act, section 55. The provisions of that Act are most liberal with respect to the shortening of sentences; and that applies not only to the penitentiaries, but there are regulations likewise in it which applies to the central prison in Toronto, and a fair application of the same provisions is sometimes made with respect to prisoners in gaols under short sentences. These provisions are:

"The inspector may, for the purpose of encouraging convicts to good behavior, diligence and industry, and of rewarding them for the same, make rules and regulations, under which a correct record may be kept of the daily conduct of every convict in any penitentiary, noting his industry, diligence and faithfulness in the performances of his work, and the strictness in which he observes the prison rules, with a view to permit such convict, under the prison rules, to earn a remission of a portion of the time for which he is sentenced to be confined, not exceeding five days for every month during which he is exemplary in industry, diligence and faithfulness in his work, and does not violate any of the prison rules."

Then there is the usual provision for escapes and misconduct by which the prisoners forfeit whatever remission has been granted them. So that the feature of allowing a gradual remission, which is embodied in this resolution, is already part of the Statutes; and if the hon. gentleman who has made the motion can point to any country in which more liberal provision is made on account of remission for good conduct, I shall be happy to consider it and recommend its adoption by Parliament. But experience of the past has shown not only that our provisions are most liberal in regard to prisoners condemned for criminal offences, but that the treatment of them by the courts, at all events in far the greater part of the country, is most liberal and humane, and after they are placed in custody their term of imprisonment is diminished according as they bring forth fruits meet for repentance. There can be nothing so ill-judged, in regard to the criminal classes, as indiscriminate releases—the intimation to the criminal classes that in consequence of this being the Jubilee year, or for any other reason, all classes of them, no matter what distinction there may be between their offences, are to receive a liberal release, and that they are to be set free upon a community which has certainly done nothing to deserve so severe a punishment as that we would thereby inflict upon them. I repeat now what I said, in connection with this subject at another stage, that I shall always deem it my duty to give the very best consideration I possibly can to any individual case brought before me in connection with the application of executive clemency; but I think we should proceed by considering individual cases, by considering every single case upon its merits, ascertaining what the record of the prisoner has been, what the probabilities are of his inflicting injury upon the community if he shall be released; what the probabilities are as regards his past record, of his being reformed, and what, in view of his conduct in the penitentiary, is likely to be his future conduct, and every circumstance of that kind. I think it is only by considering all the circumstances after this manner, that it is possible for us to treat, with any degree of justice, as regards the criminal classes themselves, and with any sense of fairness to the community at large, from whom these criminals have been taken in order to protect society, a question of this kind. I, therefore, move that the further debate on this subject be adjourned.

Mr. MILLIS (Bothwell). I think this is rather an extraordinary course for the Minister of Justice to adopt upon a motion from which he so entirely dissents. It seems to me that the great majority of members will entirely concur in the views expressed by the hon. Minister. I could not, myself, well conceive any more unfortunate way of commemorating the Jubilee of Her Majesty, than by proposing to set free upon the peaceable and orderly portion of the community

those who are at the present time deservedly confined in the penitentiaries. I think that when clemency is sought and remission of punishment is asked, the Government should enquire into the merits of the cases and should judge each case upon its merits, and I do not well conceive how we could inflict greater injury on the community than by an indiscriminate discharge from the penitentiaries of a vast number of those who are confined there for serious offences. However popular it might be with that particular class, the great majority of the community would not wish a return very often of the Jubilee year, if accompanied by an event of this sort. That being the case, it would have been better if the Minister of Justice had asked the hon. gentleman to have withdrawn his motion, instead of proposing an adjournment of the debate.

Mr. SPROULE. In view of the expressions of the Minister of Justice upon this subject, strengthened by the indisposition of the House to give their views upon it, and believing it to be against the wishes of the House, I would prefer to withdraw it, rather than to have it disposed of otherwise.

Motion withdrawn.

GEOGRAPHICAL NOMENCLATURE IN OFFICIAL REPORTS.

Mr. DAWSON moved for:

Return of all reports and correspondence in the possession of the Government in relation to the substitution of new and unknown names for places in this Dominion which have been from time immemorial otherwise designated. Also all instructions showing by what particular authority a new nomenclature has been adopted in the reports of the Geological Survey for old and historic places having French and English names, commemorative of the early voyageurs and explorers.

He said: I have on several previous occasions called the attention of the Government to a practice, which is becoming very common, among persons who are sent out to the north and west of this country to make surveys and explorations of one kind and another. I refer to the custom which they have fallen into of giving new names to all the places to which they come. They think they have the privilege of giving names to every island, every river and every place they may happen to visit. Now, all these places have historical names. The French, when they first occupied the country and travelled over the prairies to the Rocky Mountains and the Pacific Ocean, gave names to the places they visited. Many of these names, commemorative of good and great men, still remain, but these people who now obliterate these historical names and sweep away, in some measure, the history of the country, they sweep away the honored names of men who were distinguished in their day, and that I think is an outrage on the history of the past. And what are the names that are substituted for these old historic names? I have just been looking over a map, representing some of the surveys, and I will give the House some specimens of the new nomenclature. I find on this map these names: Yellow Girl Point, Yellow Girl Bay, Bottle Bay, Massacre Island, Maud Lake, Hebe Falls, Annie Island, Patsy Island, Allie Island, Sunset Channel, Devil's Hole, Devil's Bay, Witch Bay, Queer Island, Square Island, Bald Island, Mouse Island, Bath Island, Felix Island, Luella Island, Whiskey Island. Now, Sir, is not that very vile? Here are maps got up at an enormous expense by people sent out to explore the country and come back with reliable information, and they remove the old historic names and put down such names as these, which, no doubt, they think very amusing and very astounding. The maps become things of record, and these paltry, absurd and ridiculous names are perpetuated. There is one place in the Lake of the Woods famous in the legends of the old Canadian voyageurs. At one time a massacre hap-

pened at this place, and a missionary father and some of his followers were killed. Afterwards it was converted by missionaries and Indians into a garden, and they called it by the name of Garden Island, and that is the name it has retained to the present day. But these gentlemen must sweep that name away and give it a new name. I thought, therefore, that it was well to call the attention of the Government to the matter, and, on a former occasion, they promised not to allow any new names to be put on the maps, without their being submitted for consideration. I think the matter is of more importance than it appears at first sight, and hence I have brought forward this motion.

Mr. WHITE (Cardwell). The information I have from the director of the Geological Survey is that no names have been changed, either in the reports or the maps of the Geological Survey, and there are no reports or correspondence on the subject. But the statements made by the hon. gentleman, in which he gives specific instances, will enable us to ascertain more fully whether the impressions of the director are absolutely correct, and, therefore, there is no reason why the motion should not pass. I need, therefore, only promise, after the statements made by the hon. gentleman, that the matter will be further examined, with a view of bringing down the papers if there are any.

Mr. MITCHELL. In relation to the Geological Survey, I may say that I was extremely anxious to get a copy of the Geological Survey report of last year, and it appears to be very difficult to obtain anything of the kind. I received a letter from the director saying that, as I had received three copies last year, I could not get another. Now, as one of my constituents is anxious to get a copy, I thought it was very strange that I could not obtain a copy of that report, seeing that the public pay a good deal of money for the purpose of getting them out. I would like the hon. the Minister to explain how it is that an extra report could not be had, when it is actually required by a member representing the people.

Mr. WHITE (Cardwell). I can only tell the hon. gentleman what I think he ought reasonably to have known himself, as an old member of Parliament and as an old Minister, that the geological reports are not distributed like other parliamentary papers. One copy goes to each member. They are for sale at Dawson's at Montreal, where they can be purchased by any member of this House, who desires to get them for himself or any of his constituents.

Mr. MITCHELL. I can only say that if it is necessary to purchase the documents, the public ought to know it. I did not know we required to purchase extra copies. If one of our constituents requires a report of that kind I think we ought to be able to obtain it.

Motion agreed to.

INDIAN RESERVE AT WHITE FISH RIVER.

Mr. BARRON moved for :

Copies of all papers, letters, documents, maps, &c., in any way relating to the action of the Dominion Government in setting apart an Indian reserve, under the Robinson or other treaty, between White Fish and Wanabtasch Rivers, several miles inland from the north shore of Georgian Bay; for copies of all correspondence had between the Government of the Dominion of Canada and the Province of Ontario on the subject; and for copies of all correspondence and other documents and papers with the Government of Canada and any person or persons, regarding the sale of timber upon said reserve, if any such sale has been had.

He said: This is a most important motion, because it involves more or less the principle of provincial rights. The Government of hon. gentlemen opposite have not only attacked the Province of Ontario in important matters, but it appears to me and to those gentlemen who have placed this motion in my hands, that they have shown a disposition

Mr. DAWSON.

in small matters to attack the rights of the Province of Ontario, and the vested rights of gentlemen interested in the property of the Province of Ontario. It will be remembered that, in 1872, the Government of the Province of Ontario had a sale of the timber limits on the north shore of the Georgian Bay. At that time a large number of timber berths were sold, involving a very large sum of money. Those timber limits have since changed hands, the original vendees having sold to others at a great advance on the sums originally paid. Notwithstanding that, it appears, from information given to me, that the Government of hon. gentlemen opposite have taken upon themselves the right to lay out an Indian reserve upon the lands on which the timber limits have been sold. I believe they acted under what is known as the Robinson Treaty, which was made some 37 years ago. The clause on which they acted is the 6th clause, which reads as follows:—

“Shawmakiskick. This band a tract of land now occupied by them, and contained between two rivers, called White Fish River and Wanabtasche, seven miles inland.”

Under that clause it appears that the Government, I think, two or three years ago, laid out this particular reserve, although never asked to do it for 37 years, and sold the timber on the reserve to one of the hon. gentlemen opposite. My information is that the hon. member for Ottawa purchased the timber on the reserve from this Government, which timber had originally been sold by the Ontario Government. Now, I am informed that the value of that timber is between \$250,000 and \$300,000 to the gentlemen who bought from the original vendees of the Ontario Government. Of course the sum originally paid to the Ontario Government was not very large. It was large enough at that time, but we all know that timber limits have become extremely valuable. This Government, in taking away these timber limits, have to that extent interfered with the vested rights of purchasers from the Ontario Government. If any one will undertake to look at the map covering this Indian reserve, he will plainly see that the surveyors, whether under instruction from the Government or not I do not know, went out of their way to select this reserve where they did. The treaty speaks of an area of land between two particular waters. I have had an opportunity of seeing the map for a moment, and it was quite possible for the surveyors to have selected the reserve at other places than where they did select it. It has been selected—so I have been informed, and I have every reason to rely upon the information—where the very best pine is to be found in the original berths sold by the Ontario Government. That Government, in 1872, sold berths 70, 76, 69, 75, 84 and 83, and the surveyors have angled among those berths in such a way as to take the very best pine that they contain. Hon. gentlemen opposite will see that this must cause a conflict between the purchasers from the vendees of the Ontario Government and the Dominion Government. One of the purchasers has already made a demand on the Ontario Government to be recouped for the timber, on the strength of this Government having taken this reserve and sold the pine to one of their supporters. I think this is a matter which involves very important rights. If this Government are to resurrect old treaties and lay out Indian reserves, and thereby take away pine and other property which had been sold by the Ontario Government and sell it to their friends, I think we have a right to know it. I think we are also entitled to know who are to recoup the gentlemen who have purchased from the Ontario Government or from the vendees of that Government. This matter is far more important than on its face it seems to be, and I only regret that it was not placed in some other member's hands who would do more justice to it. I hope that the motion will pass, and that the return will be brought down.

Mr. PERLEY (Ottawa). I beg to ask who the hon. gentleman means by the hon. member for Ottawa?

Mr. BARRON. It was not my intention to mention any hon. member, but now that I am asked the question, my information is this: that the hon. member, I think the member for Ottawa, purchased the timber from this Government on this particular reserve, the timber having been previously sold by the Ontario Government, as I stated.

Mr. BOWELL. Which member for Ottawa?

Mr. BARRON. Mr. Robillard.

Motion agreed to.

RETURNS ORDERED.

Papers, correspondence, reports, Orders in Council, &c., relating to claims made by revising barristers for pay or salary, and a return showing the actual amounts allowed to each revising barrister, &c., and all reports or Orders in Council showing the rate, scale or amount which the Government have determined to pay the several revising barristers.—(Mr. Davies.)

Copies of all Orders in Council, and of all correspondence between the Government of Canada and the Government of the Province of Ontario, and between the Government of Canada and any person or persons, respecting timber licenses and Crown titles to lands affected by claims of settlers, and by mining claims, within the so-called Disputed Territory.—(Mr. Dawson.)

Return showing the names of all persons who applied for fishing bounties for the year 1885, for the District of Grand Narrows and Washabuck, in the county of Victoria, Nova Scotia, showing too the names of those applicants who, for that year, were refused; showing too, if the claim for fishing bounty of Michael McDougall was refused; and if so, why; showing too, if said McDougall was afterwards appointed fishery Warden for the said district, and if he was, shewing who was his immediate predecessor, and if the latter resigned or was dismissed, and if dismissed all papers showing why.—(Mr. Barron)

Copies of all claims presented to the Department of Railways for lands expropriated for the construction of the St. Charles Branch Railway in the county of Lévis; also a statement showing the amount of each claim, the names of those whose claims have been settled up to last April, 1887, and the amount awarded to them, and the names of those whose claims are still pending.—(Mr. Guay.)

Copies of petitions presented from time to time, and supported by the several Transatlantic steamship companies and other persons, praying for the building of a breakwater at Point du Père.—(Mr. Fiset.)

Copy of the contract with D. A. Duffy for the erection of the new wing of the penitentiary at Dorchester; also any claims or applications made for extras, and also any recommendations for allowance of such claims or any of them, and also all correspondence between the contractor and the Department of Public Works.—(Mr. Weldon, St. John.)

Copies of all surveys, reports and correspondence in connection with the survey of the Straits of Northumberland, with the view of building a subway across the Straits. Also the names of engineers employed, with detailed account of expenses incurred in said survey during the year 1886.—(Mr. Perry.)

Return showing the nature of the agreement made between the Government and the Canadian Pacific Railway Company, and other parties (if any), respecting the town site of Regina and other town sites in which the Government is part owner, the cost to the Government of collecting their share of the payments made on lots sold in such town sites up to the 30th June, 1886; also the amount realised up to that date by the Government on the sale of such lots, and the number of lots in town sites, together with the quantity of farm lands in the North-West Territories to which the Canadian Pacific Railway Company is entitled, but for which up to the present they have not received patents from the Government.—(Mr. Davin.)

Return giving the following details of the expenditure connected with the support of the Marine and Immigrant Hospital in the city of Quebec, during the term of years from the date of Confederation to 30th June, 1886, and showing:

1. What was the aggregate amount voted by Parliament or the maintenance of this hospital during the said term of years? and
2. What was the amount actually expended?
3. What was the number of persons, other than sick mariners, who received hospital care there during the said term? and
4. What was the aggregate number of days of hospital treatment accorded to them?
5. What was the number of sick mariners who received hospital care during the same term? and
6. What was the number of days of hospital treatment accorded to them?
7. What was the average cost per patient per diem of both classes of patients during said term?

8. What was the price per patient per diem paid to the Montreal General Hospital for the care of sick seamen during the same years—1867-1886?

9. What is the aggregate amount that has been charged during the said term of years to the fund for the relief of Sick and Distressed Mariners, as for expenditure in connection with this Quebec Hospital, by virtue of the Act 31 Victoria, chapter 64, section 12 (now 40 Victoria, chapter 76, section 16)?—(Sir Donald Smith.)

Copies of all correspondence and telegrams, since 31st December last, relating to the construction or repair of breakwaters or piers at Scott's Bay, Horton Landing and Boot Island, in King's county, Nova Scotia; and also of all instructions to an engineer of the Department of Public Works, who visited said localities during the months of January and February last, with his reports thereon.—(Mr. Borden.)

Copies of surveys of a proposed line of railway from Kingsport, on the Basin of Minas, to connect with the Windsor and Annapolis Railway, together with the instructions issued to the engineers, and the correspondence and telegrams relating to the survey, or a Dominion subsidy in aid of the construction of the railway, between any member of the Government, or any officer of the Department of Railways, and any other persons.—(Mr. Borden.)

Copy of the report of Judge Taylor, made under the provisions of the commission issued to him to enquire into the administration of justice by the Hon. Jeremiah Travis, in the North-West.—(Mr. Mulock.)

Copies of all correspondence had between the Department of the Interior and one Peter Gray, of Moose Mountain, respecting one Edward Brokovski, an employé of the Department at Moosomin, North-West Territories, and of all letters and communications to the Department from any and all other persons bearing upon the conduct and competency in office of the said Brokovski.—(Mr. Barron.)

Copies of all correspondence, telegrams, &c., between the Customs Department and the collector of Customs for the port of Gaspé, respecting the seizure and forfeiture of the schooner "Ste. Anne" and eight barrels of spirits confiscated for infraction of the revenue laws of the Dominion, together with copies of accounts paid for wages and other expenses of the said schooner, and an account of the proceeds of the sale of the said spirits, made on the 6th July, 1886.—(Mr. Langelier, Montmorency.)

Copies of all reports of engineers, or of commissions of engineers, made to the Government respecting the disastrous floods which have occurred on the south shore and on the north shore of the St. Lawrence, at and in the vicinity of the city of Montreal, for some years past.

2nd. Copies of all correspondence, resolutions of municipal councils, and other documents in relation to the said subject, now in the hands of the Government.

3rd. A statement of all expenditure incurred by the Government for surveys and experiments made in connection therewith, together with the names of persons to whom payments were made and dates of such payments.—(Mr. Rinfret.)

Copies of the Order in Council appointing Louis Boisvert, lighthouse keeper at Grondines, in the place of E. Trottier; and copies of all correspondence recommending Charles N. Trottier for this position.—(Mr. Rinfret.)

Copies of all Orders in Council, or other documents, granting a power to construct any bridge, dam, breakwater, or other obstructions in the Rideau River, from its mouth to its source.—(Mr. Robillard.)

Copies of charges preferred and complaints made against Daniel Wellbanks, now, or recently mail carrier between Pictou and Milford, in Province of Ontario, the name or names of the person or persons preferring such charges or making such complaints, the evidence produced in support of said charges, and Departmental or other order terminating his contract.—(Mr. Platt.)

Copies of all accounts, correspondence, documents, &c., of Hubert Hébert, revising officer for the electoral district of Montmagny, in respect to the preparation of the electoral lists, and in relation to himself, and also his clerk, bailiff and other employés in connection with the making of the said lists; also copies of the accounts for the printing of the same.—(Mr. Choquette.)

Copies of all contracts entered into between the Government and John Harvey for the construction of slides and other improvements on the Mattawa River; also copies of all advertisements asking for tenders for such work, copies of such tenders and all other papers, letters and correspondence between the Government and Harvey relating to such contracts and works.—(Mr. Lister.)

Sir HECTOR LANGEVIN moved the adjournment of the House.

Sir RICHARD CARTWRIGHT. What business tomorrow?

Sir HECTOR LANGEVIN. Bills 47, 39, 56 and then very likely Supply.

Motion agreed to, and House adjourned at 11:45 p.m.

HOUSE OF COMMONS.

TUESDAY, 7th June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

RELIEF OF SUSAN ASH.

Mr. SMALL moved that Bill (No. 135) from the Senate, for the relief of Susan Ash, be now read the first time.

Some hon. MEMBERS. Explain.

Mr. SPEAKER. Motion agreed to on a division.

Mr. SMALL moved that said Bill be read the second time to-morrow.

Sir HECTOR LANGEVIN. Before that motion is carried I wish to say to the hon. gentleman that I will not ask a division at this stage of the Bill, but when the second reading of the Bill comes on, I will ask for a division.

Mr. DAVIES (P.E.I.) Before that motion is carried I wish to ask if the evidence has been yet distributed. There are some very important law questions which, I think, will give rise to some little discussion upon that Bill, and I for one, as at present advised, will hardly feel myself in a position to do so, as that Bill now stands. I should hesitate to give a vote without reading the evidence, and I do not think I ought to be forced to do so, and I hope before the hon. gentleman asks this Bill to be read the second time, the evidence will be distributed to the members, so that we may have an opportunity of understanding some of the constitutional questions involved in that Bill.

Mr. SMALL. The evidence has been distributed. I had it yesterday.

Mr. SPEAKER. It is not a usual practice to have all the evidence printed. Hon. members can find the evidence in the proceedings of the Senate which are distributed daily.

Motion agreed to on a division.

RELIEF OF MARIE LOUISE NOEL.

Mr. SMALL moved that Bill (No. 108) from the Senate, for the relief of Marie Louise Noel, be now read the first time.

Sir HECTOR LANGEVIN. On a division.

Motion agreed to on a division.

Sir HECTOR LANGEVIN. I make the same remark to the hon. gentleman in respect of this Bill that I did in the first instance.

REPORT OF THE PRINTING COMMITTEE.

Mr. BERGIN. I ought properly, I suppose, to-day, to move the adoption of the report of the Joint Committee on the Printing of both Houses, but as this is a Government day, and hon. gentlemen probably would like to look into the report a little more fully, I propose to do so to-morrow and not to-day. The report was presented yesterday.

BUSINESS OF THE HOUSE.

Sir JOHN A. MACDONALD. Before the introduction of Bills I will give notice, or, if the House will allow me, I will move now:

That when this House adjourns on Friday it stand adjourned until Saturday afternoon at three o'clock, and Government Orders shall have precedence.

Sir HECTOR LANGEVIN.

I move this motion now as we shall lose Thursday, it being a *fête d'obligation*, and the House will not sit.

Motion agreed to.

Mr. CHARLTON. May I be permitted to ask the First Minister when he hopes to be able to prorogue the House?

Sir JOHN A. MACDONALD. I ought to ask that question of hon. gentlemen opposite, as the House is generally in the hands of Her Majesty's Opposition. However, I must say that on this head we have no cause to complain of any attempt whatever to delay unduly the business of Parliament; and with the assistance of the House, if public business will allow, I think we might possibly prorogue on Saturday, 18th June.

Sir RICHARD CARTWRIGHT. I should like to enquire of the hon. gentleman, whether he is in a position to state if the Government will call the attention of the House to any other measures than those of which they have already given notice. I should like to know if the bill of fare before us includes everything to which he proposes to direct our attention, or whether there are any other measures which he proposes to submit.

Sir JOHN A. MACDONALD. Perhaps not literally the only measures, but we will endeavor to add as few additional important measures as possible between now and the 18th.

Mr. MILLS (Bothwell). Do the Government propose to go on with all the measures on the paper relating to the reconstruction of the Departments?

Sir JOHN A. MACDONALD. Yes.

LICENSING OF WEIGHERS.

Mr. COSTIGAN moved for leave to introduce Bill (No. 136) to confer certain powers on Boards of Trade as to the licensing of weighers.

Mr. JONES. Will the hon. gentleman explain the provisions of the Bill?

Mr. COSTIGAN. A very small change is proposed. Some of the Boards of Trade have recommended to the Department that the present state of the law with respect to weighers was not satisfactory. The weighers in England are sworn, the weighers in this country are not sworn. The law is found to operate in favor of English buyers who have the certificate of a sworn weigher. It is proposed to have the weighers here sworn, and this Bill gives power to Boards of Trade to license them.

Mr. JONES. Does that refer to Customs weighers, the Government weighers?

Mr. COSTIGAN. They will be weighers for the Board of Trade. The Bill gives power to Boards of Trade to make such appointments.

Motion agreed to, and Bill read the first time.

PAYMENT OF INTEREST BY THE CROWN.

Mr. THOMPSON moved for leave to introduce Bill (No. 137) respecting the paying of interest by the Crown. He said: This Bill contains two provisions only: the first is that the Crown may pay interest in all cases where it would be payable as between subject and subject; and the second is, that when interest is so paid it shall not exceed six per cent.

Mr. MITCHELL. Is the Bill retrospective in its action, or does it apply only to future engagements?

Mr. THOMPSON. The Bill makes no special provisions on that subject.

Mr. MITCHELL. But what is the effect?

Mr. THOMPSON. It is prospective; it has no retrospective provision.

Motion agreed to, and Bill read the first time.

REVISION OF VOTERS' LISTS.

Mr. CHARLTON. Before the Orders of the Day are called I desire to enquire of the Government, for my own information chiefly, as to their intention with respect to the Bill to amend the Electoral Franchise Act. The business of making preparations for the revision of the rolls has been suspended in many ridings, in my own riding among others, and we would like to obtain a definite assurance from the Government as to whether it is intended to have the rolls revised this year or not. If the matter were allowed to go along to the close of the Session, and at the very last moment some provision should be made for the revision of the lists, it might place those not informed as to the Government's intentions in a bad position, and it would be only fair to members of the House who have lists to attend to, that they should know what are the intentions of the Government. The Bill, I observe, is not printed, and for that reason it might be inferred that it would not be proceeded with.

Mr. THOMPSON. I presume the question of the hon. member really is, whether the Bill now on the paper is to be proceeded with. It will be proceeded with.

Mr. CHARLTON. It makes provision to allow the lists to stand over to another year?

Mr. THOMPSON. Yes.

Mr. LAURIER. I observe the Bill is not yet printed.

Mr. THOMPSON. I see it is not, but it will be printed immediately.

THE HIGH COMMISSIONER IN LONDON.

Mr. MILLS (Bothwell). I should like to call the attention of the First Minister to the return with respect to the resignation of the High Commissioner, and the office of the High Commissioner in London. The High Commissioner informed the House, since the Session opened, that he was to resume the duties of the office immediately after the close of the Session.

Sir JOHN A. MACDONALD. No, I think not.

Mr. MILLS (Bothwell). I was going to call the hon. gentleman's attention to the fact that there is no reference to that matter in the papers brought down.

Sir JOHN A. MACDONALD. What the hon. gentleman said was, that he or some one else would take the position of High Commissioner after the Session.

Mr. MILLS (Bothwell). Certainly, I understood him to speak in the direction I have indicated. Are we to understand that the Finance Minister has not been offered by the Government, and he has not agreed to accept, the position of High Commissioner?

Sir JOHN A. MACDONALD. We understand the matter perfectly. The question of whether the hon. gentleman's services will be more useful as High Commissioner in London, or by remaining here as a member of the Government, we will consider after the Session is over, and not before.

THE FISHERIES REPORT.

Mr. DAVIES (P. E. L.). I wish again to call the attention of the Minister of Marine and Fisheries to the non-distribution of the report of the fisheries branch of his Department. I called attention to this matter yesterday, and

the hon. gentleman replied to me in rather a captious spirit, because I said that the report had not been distributed to hon. gentlemen on this side of the House. The reason I mentioned hon. gentlemen on this side was because I had no opportunity of consulting hon. gentlemen on the other side. I knew I had not received my own copy; I asked hon. members about me, and found that it had not been distributed to them. I wish again to repeat, in the hon. gentleman's own presence, that I hardly think it is creditable to his Department that, when we are within measurable distance of prorogation, and when the Premier has stated that we will probably prorogue on the 18th, we are still without the report of that most important branch of the Department, at a critical time like this, when it is so important that the negotiations with regard to the fisheries should be thoroughly understood by the country, and hon. members of the House should be thoroughly informed upon them. I repeat again that I think the House is entitled to some explanation why a report, which to all appearance should have been prepared at the beginning of the Session, when this House met at so late a period, has not been distributed now, when we are nearing the close of the Session, and when it will be impossible for hon. gentlemen to give it proper attention, owing to the pressure of business on our time. I think the hon. gentleman should give his special attention to the matter and have the report distributed to hon. members at once. It is now some five or six days since he laid a copy on the Table of the House. What the secret of the delay is I cannot understand, but certainly the fact is not creditable to the Department.

Mr. FOSTER. I informed my hon. friend yesterday what the secret of delay was. I said that the report had been in the printers' hands six or eight weeks, and that I got one copy bound as soon as I could to lay on the Table of the House. The others are not yet bound, but they are being bound as rapidly as possible, and they will be in the hands of hon. members just as soon as there is a sufficient number to distribute. One reason why the report has been delayed later than it would have been, is, that the printers were ordered to get out additional papers and documents, and they had to lay aside their regular work for that purpose. While it is important that the report should be before the House, yet I think my hon. friend is scarcely warranted in considering the report of any greater importance this year than in former years, as what relates specially to the fishery question has already been brought down.

Mr. MILLS (Bothwell). I do not think the hon. gentleman's explanation is quite satisfactory. What would have been our position if we had met in February or in the middle of January, instead of the middle of April? The hon. gentleman should bear in mind that this report comes down to July last, nearly twelve months ago—

Mr. FOSTER. It comes down to the end of the year.

Mr. MILLS (Bothwell). Well, the hon. gentleman has had over five months to get out his report, so that I think his explanation is not one which can satisfy the House. Certainly, if we had met at the usual time we would have been in Session three months and would have left here without receiving the hon. gentleman's report at all.

ALLOWANCE TO GODEFROI LAVIOLETTE.

House resolved itself into committee to consider a certain proposed resolution (p. 111) providing for the granting of an allowance to Godefroi Laviolette, late warden of the penitentiary of St. Vincent de Paul, in view of valuable services rendered by him.—(Mr. Thompson.)

(In the Committee.)

Mr. LAURIER. Has the hon. gentleman any explanation to offer in support of this resolution?

Mr. THOMPSON. I will state, as briefly as I can, to the committee, the reasons which induced the Government to offer this resolution to the House. Mr. Laviolette, as the committee, I suppose, is aware, was for some years warden of the penitentiary at St. Vincent de Paul. It is a matter of public notoriety that, about fifteen months ago, an *emeute* occurred in that institution of a very serious character, and that the result of it was that, among other casualties, Mr. Laviolette, while endeavoring actively, in the discharge of his duty, to suppress the revolt, sustained very serious injuries. He conducted himself in the course of that day's proceedings with very great heroism. It was not essential to the discharge of his duty that he should have exposed himself personally, but in the haste of the moment, and impelled by a courageous sense of duty, he did expose himself to the fullest extent. He proceeded to one of the sheds where the men were congregated in a state of mutiny, and where they had already obtained some arms. He found some of the keepers bound there, and he endeavored to expostulate with the persons who were carrying on the revolt. The result was that his effort to appease them entirely failed, and that they sought to make use of him as a shield to protect them in the depredations which they then proceeded to commit. They advanced in force to the wall and instructed the warden, on pain of death, to give directions to the keepers to open the gates, in order that they might get their liberty. He not only emphatically refused to comply with their demands, but instructed his officers to fire on the mutinous prisoners. They eventually obeyed his directions; they did fire; one of the convicts was killed, and one or two others were wounded. In a fit of exasperation the warden was fired at from behind and sustained three very serious wounds, one of which broke his jaw, another pierced his wrist, and the third inflicted a serious wound in his thigh. He was not expected to recover from these wounds, but he recovered to a certain extent. He was given leave of absence, in order to ascertain whether entire freedom from his duties would aid his restoration to health; but it was found, after the lapse of nearly ten months, during which the institution was in charge of the deputy warden, that, while the immediate results following from the wounds had been mitigated, there was no prospect of his health being restored. In fact, he was not only entirely unfit for duty, but unable to leave his room even so late as ten months after the revolt occurred. Considering that his conduct was most courageous, and that these very serious injuries had come upon him while in the immediate discharge of duty, well performed, I thought, inasmuch as his retirement from his post had become inevitable in consequence of his health having been entirely shattered, that it was our duty to propose to Parliament that he should be liberally dealt with as regards superannuation. Therefore, I propose, that for the remainder of his life, instead of the superannuation allowance, which he would otherwise have been entitled to, which would have been under \$1,000, he shall continue to receive the salary he would have received if he had continued to discharge his duties. Of course, hon. members are aware that his emoluments will not be the same as they would have been had he continued in office, because the perquisites, such as the use of his dwelling, fuel, light, and the keep of a horse and cow, would probably be worth \$1,000 more. There was one other allowance which I thought it would be reasonable to ask Parliament to grant, and that is this: If he had to rely on the annuity only, it would have taken, in all probability, the greater part of one year's salary to provide for removal and another house; and I thought, as we had adopted the principle of continuing the same salary that he had before, it was only fair to make a reasonable allowance to him for removal expenses. I am, therefore, asking Parliament \$1,000 for removal expenses, and I only regret that the indications are, from what I know and have heard of his health, that he will not

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be very long in the enjoyment of the liberality which I ask Parliament to extend to him.

Mr. LAURIER. I did not see fit, Mr. Chairman, to criticise the motion that has been placed in your hands. I readily admit that Mr. Laviolette is entitled to some compensation for the loss of health and the suffering he has undergone in what is, after all, the service of the country. It cannot be denied that, on the occasion to which the hon. gentleman has referred, Mr. Laviolette behaved in the most admirable manner; not only so, but he showed an amount of courage—I might say, heroism—that is not often met with. As I understand, Mr. Laviolette had the gates opened, and went himself to the yard in order to try persuasion with the convicts who had broken loose. It may be that he did not show a great deal of judgment in so doing, because it was very much like fighting demons. At the same time, I am disposed not to deal critically with him, but to consider only the courageous and heroic motives that impelled him. The convicts, instead of showing moderation, took hold of Mr. Laviolette and used him as a shield to prevent the guards from firing upon them; and even then, I understand, Mr. Laviolette showed his courage by telling the guards not to mind him, but to do their duty. Under the circumstances, I am quite disposed to agree to the principle of the motion, and not to criticise the action of the Government in proposing it. But I must say that in other respects the Government seem to me highly censurable. I think the Government are responsible, not only for the money now expended to compensate a good officer who was disabled in the performance of his duty, but I must say they are to blame for that revolt having taken place at all. It has been a matter of notoriety for some years that the St. Vincent de Paul Penitentiary has been in a most lamentable condition. Ever since Mr. Laviolette was appointed to office the penitentiary has been going from bad to worse, until the end was that revolt. Day after day there were escapes from the penitentiary, and year after year scandals occurred. I would not lay the fault on Mr. Laviolette; but the fact is, that during the time he was in the penitentiary, he was in constant quarrels with his chief officers. The consequence was that the inspector reported again and again that the Government should take some action, but they never did. In this they are highly censurable, and I cannot imagine what they can urge in their defence. Let us look at the book recently laid before the House. On the 2nd of January, 1884, Mr. Inspector Moylan, after noticing several derelictions of duty on the part of the warden, concluded his report on the state of the penitentiary in these words:

"I have to add that the warden does not take, in good spirit, either any mention of these abuses and defects or the suggestion of their being prevented or remedied. What is forced upon me by the actual state of affairs and in the simple discharge of plain duty, is attributed by him to personal or national prejudice—a groundless charge and wholly without proof.

"In a word, the condition of the whole administration of this penitentiary, if examined into beneath the surface, would show that there is a great want of common sense, sound judgment and ordinary discretion and intelligence on the part of the chief executive officer."

When that was the conclusion to which the inspector of penitentiaries had come, that there was, on the part of the chief officer of the penitentiary, want of judgment, want of common sense, and even want of ordinary discretion, it would seem to me that the bounden duty of the Government was at once to take some step to remedy such a state of things, and to prevent what want of common sense, and want of judgment, and want of ordinary discretion were sure to lead to at some time or other. I find that this volume is full of rancor, which was going on between the warden and the deputy warden, the warden accusing the deputy of wanting in his duty, and the deputy retorting with a charge of want of duty against the warden. These facts were brought to the notice of the Government again and again, and yet no action was taken. Time and again the matter

was also brought to the attention of the House; but on such occasions, as on other occasions, we were not able to obtain from the Government the information to which we were entitled, and in that respect, also, the Government are highly censurable, for having kept from the House information which they had in their possession for several years, and which has now come before the House for the first time. Had that information been communicated to the House at the proper time, when it was first received, it is probable that the House would have forced the Government to take action, and if that had been done all these troubles would have been prevented. But, at last, public opinion compelled the Government to take some action, and they appointed, not one, but two or three investigations. Strange to say, however,—and I do not want to lay any blame on anybody; I take the information as I have it—strange to say, Mr. Laviolette, the warden, complained again and again of the inspector, that, at all times, it was he who was entrusted with the enquiry. If the Government had so much confidence in the inspector, that they entrusted to him every enquiry and investigation, it seems to me they should, at least, have abided by his judgment and conclusions. I have just stated the conclusions to which the chief inspector had come in 1884. I find another report of an investigation made by Mr. Baillaigé, and concerning which he made a report dated 31st March, 1885. That report expressed again his conclusion as to the utter unfitness of Mr. Laviolette in the strongest language it was possible to use. This is what he said:

"I beg, therefore, to state that, according to the opportunities which I have had of forming an opinion of the warden, I am reluctantly forced to the conclusion that he is utterly unsuited for the important trust confided to his charge. His errors of judgment—serious in many instances—have been too numerous to result from any other cause than natural defect or dogged determination to ignore all rule and authority. He lacks that firmness and determination so essential in one exercising the functions with which he is clothed by the law. In that self-respect and dignity of character, which should withhold one in his position from too free and easy intercourse, not only with subordinate officers, but even with convicts, he has shown himself sadly deficient. His sense of justice and veracity, as manifested in his treatment of the deputy warden and chief keeper, appears to be greatly at fault." The exceptional treatment, in one extreme or the other, which he has accorded to the officers, and his easy credulity in believing the tales of convicts, and thereby in gratifying their whims and caprices, betray a degree of unfairness and weakness quite at variance with that impartiality and strength of mind which should be prominent traits in the chief officer of a penal institution. It happens that the warden's defects are known to, and freely discussed by the officers and convicts alike. Hence, it may be truly said that 'his usefulness' in his present capacity 'is gone.' Consequently, I recommend that he be superannuated or transferred to some other position under the Government wherein his peculiar talents may render him more useful in the public service."

That advice was given on the 31st March, 1885. Then the inspector, who had just completed his third or fourth enquiry, came deliberately to the conclusion that the usefulness of Mr. Laviolette was gone. Still the Government remained perfectly inactive in that matter. There is a remark here made by the chief inspector, which is rather pregnant, in consequence of the facts which afterwards took place. He says that Mr. Laviolette was too free, not only with the officers, but even with the convicts, and we know—for this volume is full of examples of it—that the administration of the penitentiary was divided into two camps, the one headed by the warden, the other, by the deputy warden. On one side were certain of the officers, and on the other side were certain of the officers; even the convicts took part in the quarrel, some on the one side and others on the other. Could a more deplorable state of things exist in a penitentiary, when even convicts took a part in the wrangles that went on between the warden and the deputy warden? Is it, therefore, astonishing that at last that state of things culminated in a revolt, in which one of the convicts lost his life and several were wounded, and in which the warden himself, rising at last equal to the occasion, was most severely wounded.

On that occasion, at least, the warden acted nobly, and in a manner which entitles him to the consideration of the House. For his previous conduct I do not want to censure him at all. If he was unfit it was not his fault, but the fault of the Government which appointed him to that position and kept him there, and the Government cannot escape the censure which this Parliament should inflict upon it for allowing that state of things to go on, not for one, but for four or five years, without remedy, although its attention had been called to it again and again by its own officer. Why should there have been so many investigations held, when the conclusion arrived at was invariably the same, and when each report, after being handed in to the office of the Department of Justice, remained there a dead letter, without any action being taken upon it? In my judgment, Mr. Laviolette should have the money granted to him by this resolution. He has lost his health, and I believe the hon. the Minister spoke truly when he said he would not live to enjoy the little gratification about to be made to him; but, at the same time, while in this matter Parliament is doing its duty towards this officer, the Government cannot escape condemnation for the course it has taken.

Mr. THOMPSON. I am sorry that, while the hon. gentleman seems to entirely agree that this is a proper vote, he should have thought it proper to make reflections, which, not only have the effect of aspersing the action of the Government, but are more severe in relation to the character of the officer to whom we are about to extend a liberal vote. The hon. gentleman, I hold, has not quite fully stated the case when he speaks of the Government as being highly censurable for having disregarded reports made, from time to time, with regard to complaints coming from this institution. I admit that from an early period in 1884, there were occasionally complaints from the prison. Under my predecessor, those complaints were always directly attended to, and fully investigated. The inspector, it is true, was the only person who, in two or three of these investigations, was sent to make the enquiry. That is not to be wondered at. He is the officer charged with the duty, he is the person who has had long experience in connection with the administration of prison affairs, and a person in every way qualified to conduct these investigations. Later on, it is true, the warden occupied an attitude of hostility with regard to him; and if I am bound to express, as the hon. member for Quebec East (Mr. Laurier) seems determined that I should, an opinion as to the propriety of Mr. Laviolette's conduct during his term of office, I am compelled to admit that I think he was, to a large extent, censurable for his management of that institution. I must say, however, in justice to him, as well as to the Government, that the fault which he committed in the management of the institution was one of a very generous kind. The impression I have received, after very long and careful examination of the prison officers, myself, is that the laxity of discipline which occurred in that institution was due altogether to his kindness of heart, and his disposition not to take notice of complaints made against the prisoners by inferior officers, or made by inferior officers against each other. It was found necessary, for the complete restoration of discipline there, that every complaint made by inferior officers against the prisoners, or against each other, should be followed by prompt and severe punishment. That was all that was found necessary to restore discipline. It was only, in my judgment, for the want of a disposition to be severe in the punishment of trivial offences by the prisoners that disorders were allowed to creep in at all; and the want of severity, the want in some instances of great severity on the part of the warden is almost the only fault that can be found with him in the administration of the prison. At a subsequent period, the warden occupied an

attitude of hostility to the inspector himself, and, in answer to the reports which the hon. gentleman has read, he stated that the inspector had conceived a prejudice against him and had taken the opportunity of his visits to the institution to misrepresent him to the Government. I believe that he was entirely mistaken, but the result was to call for fuller action on the part of the Government before displacing the warden. Considering that the only fault with which he could be charged was a want of severity, I think the Government would have been censurable if they had simply dismissed Mr. Laviolette, especially after the action which he took in the revolt, for which the Government now propose to reward him. The Government thought it better to make a fuller investigation, and, in 1885, an investigation was made, not only by the inspector, but by Mr. Baillairgé as well, an investigation which was made under oath, under which a great number of officers were examined, and that investigation extended long into 1885. The report which I have was not made until June.

Mr. LAURIER. March, 1885. The investigation was made in 1884.

Mr. THOMPSON. Yes, it began in 1884. I do not think that, under the circumstances, the Government can be censured either for not dismissing Mr. Laviolette before, or for keeping back information from the House when this very full investigation was ordered and was being continued. The report was only presented in 1885, and I do not think there is good reason for believing that the differences which occurred between the warden and his principal officers, caused the revolt which occurred last year. I believe that, to a great extent, the cause of that revolt was the laxity of discipline and the want of severity which I have before mentioned, and it is worth the hon. member's consideration, especially when he speaks about public opinion having compelled us at last to make an enquiry, that, while we are charged here with undue leniency in dealing with the warden, and with undue consideration for him, we have been constantly assailed for years past in another place for having been unduly severe in dealing with the warden, and in pressing upon him the recommendations of our inspector. While the hon. member is disposed to throw all the blame upon the Government that can be heaped upon us in connection with this transaction, I must say that there are other persons not altogether unconnected with public life whom I hold responsible for the disturbance which took place there, and whom we know were not under the control or under the advice of the Government.

Mr. MITCHELL. I must take this opportunity of making a few remarks to the Minister of Justice in connection with this revolt. I do not intend to deal with the merits of the subject, but the point I intend to speak to is outside of what has been discussed in this House. I desire to pay a just tribute to the consideration which the Government of the day have shown in connection with that revolt to a poor unfortunate fellow who had not a single friend in the country, but who was committed to that penitentiary for twenty years. He is not only unfortunate in his isolation, but also in his color. He happens to be a negro boy who, for an offence which was an accident, in which he happened accidentally to shoot a man in a scuffle with another person, was committed for twenty years. I had occasion to call the attention of the Minister of Justice to this very severe sentence, and to the course which I thought ought to be taken after the revolt occurred. He was one, I believe, who had the courage to resist the conspirators, and who closed the door which prevented them from getting into the main building; and I am pleased to say that, having called the attention of the Minister to the fact, and to the further fact that the boy was alone and friendless in this

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country, having taken an interest in him because I had known him as a bell-boy in the hotel in which I live, the Windsor Hotel, the Government took into consideration the heroic effort which he made to sustain the authority in that prison, and by closing that door to prevent these men from getting into the interior of the prison, and the Minister informed me that he had reduced the lad's sentence from twenty years to ten years. I personally thanked the Minister and the Government for having done so.

Resolution reported and concurred in.

Mr. THOMPSON moved for leave to introduce Bill (No. 138) to provide for the payment of a yearly allowance to Godefroi Laviolette, late warden of the Penitentiary of St. Vincent de Paul.

Motion agreed to, and Bill read the first time.

COUNTERFEIT NOTES.

Mr. THOMPSON moved second reading of Bill (No. 123) respecting the defacing of counterfeit notes and the use of imitation notes.

Motion agreed to, and Bill read the second time; House resolved itself into Committee.

(In the Committee.)

Mr. THOMPSON. I explained briefly to the House, when I introduced the Bill, the object in view. At present, we have no statutory provision enabling counterfeit notes to be defaced, and the result is that, after being presented, when they are detected as being spurious, they are returned to the person who presents them and go back into circulation. The object of the Bill is to enable any person charged with the receipt and disbursement of public money, or any officer of a bank doing business in Canada, to obliterate such notes when they are presented to him, by stamping the word "counterfeit" upon them in such a way that they shall not be taken into circulation again. The second clause is to prevent the annoyance of counterfeits in the nature of notes which have a resemblance to bank notes, although they are not really bank notes, and may deceive persons who are not accustomed to handle money to any large extent.

Sir RICHARD CARTWRIGHT. What is the reason of the rather severe penalty inflicted for this putting a business notice on or across a note? I had seen it sometimes done, but I hardly thought it had grown to such a nuisance as to require an imprisonment of three months, as provided in the second clause.

Mr. THOMPSON. The reason of the severity is that the offence is connected with the circulation of spurious money, and the temptation is very great.

Sir RICHARD CARTWRIGHT. I am speaking of this portion of it. Anybody who:

"Writes, prints or otherwise impresses upon any such note, obligation or security any business or profession card, notice or advertisement, or any notice or advertisement of any matter or thing whatever, is liable, on summary conviction before two justices of the peace, to a penalty of \$100 or three months' imprisonment, or both."

It seems rather a severe accumulation of penalty for a thing of that kind.

Mr. THOMPSON. The penalty applies to the whole clause.

Sir RICHARD CARTWRIGHT. Yes, but it applies to both. I would not see so much objection to its applying to the first portion as to the second portion. It seems a severe penalty for a thing of that kind.

Mr. MILLS (Bothwell). This seems to be a multiplication of offences unnecessarily. Of course there are many instances of patent medicine advertisements being printed in the form of a

bank note. Now, any one who would undertake to pass such an advertisement as money, and seek to defraud any one thereby, ought to be punished, of course, and it seems to me that meets the whole cases. Why should this House go on and legislate against engraving such an advertisement if a patent medicine man chooses to have a bill of that sort prepared, if he thinks he can sell his medicine thereby, there is no harm done. It is only when there is an attempt to pass it as money that there is wrong done. Perhaps the hon. gentleman has had cases brought under his notice, but so far as I know, there are very rarely any attempts of this sort. We are legislating against what appears to me to be an imaginary offence. We are simply interfering with the liberty of people who engrave bills and advertisements as may suit their fancy. Now, will the hon. gentleman make it a criminal offence to import medicines that contain bills engraved in the way here described, because, then, if he does, then, of course, he is carrying out his law logically, but if he does not, he is merely interfering with the man in this country who undertakes to engrave a bill of that sort, and then he is undertaking to punish a man in Canada for doing what may be done by an outsider with impunity.

Mr. THOMPSON. It is not an imaginary offence, it is an offence which has repeatedly occurred in many parts of the Dominion. From my own experience I have known it to cause considerable loss and inconvenience to poor people who, perhaps, could not read, and who were not capable of discriminating readily between good and bad money. Reports coming from the Province of Ontario, lately, have indicated this offence as calling for legislation. The difficulty is in detecting and visiting with punishment the person who commits the offence, and the only way of dealing with the offence at all is to punish everybody who is connected with it, not only the person who has put it in circulation—he is very seldom caught—but the person who engraves such notes, as we punish a person who engraves a counterfeit note and the person who makes use of it, too, by stamping it with his advertisement or business card. The person who makes use of it by stamping it with his business card or advertisement, is really the person who puts it in circulation for his own purposes. The only way to deal with an offence like that, which is difficult of detection, and which is seldom detected, after the bill has passed through several hands of unsuspecting people, is to punish everybody who has anything to do with the transaction. Let everyone know that it is forbidden to have anything to do with such matters.

Sir RICHARD CARTWRIGHT. There is force in what the Minister of Justice says, but he did not quite meet the point I took, which was this: The offence in the second portion of this Act is not visited with the same penalty as in the first part, which, as he truly says, might easily lead to considerable fraud, though I was not aware that much had occurred. The second part has reference simply to persons writing or putting their business address, apparently, across a note. That may become a nuisance in the way of defacing our bills, but it is a different class of offence altogether from the one mentioned, if I read his measure aright, in the first half. The first half refers to a person printing circulars or advertisements so as to resemble a Dominion note. No doubt a fraud may occur in that. The habit is not infrequent, I take it, of a man stamping his address and professional description on the back of a note. Now, it is a sharp thing to say that such a man shall be liable to three months' imprisonment. We might fine him defacing a note in a moderate sum of money. The hon. gentleman, no doubt, has often seen what I have alluded to—on the back of a note a man would put "so and so," dealer in "so and so," but I had hardly thought it had reached the point of being made a criminal offence.

Mr. THOMPSON. I do not think that this is a matter calling for so severe a penalty, therefore, I have no objection to amend the clause by striking out the words beginning "or who" down to the word "whatever" inclusive.

Bill reported, and read the third time and passed.

NORTH-WEST TERRITORIES ACT.

Mr. THOMPSON moved the second reading of Bill (No. 127) to amend the North-West Territories Act.

Mr. MILLS. The proposed amendment in the first section is unintelligible as it stands, unless we have the original Act before us. There was an understanding, to which the First Minister gave his concurrence, that when any verbal alteration was proposed the section should be recited, and reprinted with the alteration. This is going back to the old system, which was unsatisfactory.

Motion agreed to, and Bill read the second time; House resolved itself into Committee.

(In the Committee.)

Mr. THOMPSON. I may explain what the nature of the amendment is. Section 79 of the North-West Territories Act is the one which provides that a prisoner may be detained in the custody of the North-West Mounted Police. In the fourth line the offences for which a person may be so detained are recited, and the words are added "so convicted." The word "so" is unmeaning, for there is no allusion before those words to any conviction. We, therefore, strike out the word "so" in the fourth line. In the last line of the Act the words struck out lead to an ambiguity, because the Act does not deal with criminal offences. The other change is in respect to a provision which I mentioned to the House when I introduced the Bill, and it refers to appeal cases. When the Act was passed last year bringing into force the Supreme Court of the North-West Territories, no provision was made with respect to pending cases, because there were none before the court in Manitoba, although there were some which had been argued, and in respect of which judgment had been reserved; and the Court of Appeal held that that Act had the effect of taking away their jurisdiction to pronounce judgment in those cases, although judgment had not been pronounced.

Mr. DAVIN. I should like to ask the Minister of Justice whether, after this Bill has passed, a case appealed from our own courts will have to be carried, first to Manitoba, or whether it will be brought directly here?

Mr. THOMPSON. The appeal to Manitoba is taken away.

Mr. DAVIN. That is as I understand it.

Bill reported, and read the third time and passed.

DOMINION CONTROVERTED ELECTIONS ACT.

Mr. THOMPSON moved the second reading of Bill (No. 126) to amend "The Dominion Controverted Elections Act."

Motion agreed to, and Bill read the second time; House resolved itself into Committee.

(In the Committee.)

On section 1,

Mr. THOMPSON. I understand that the second subsection of section 9, of the Controverted Elections Act, has given rise, in the Province of Ontario, to the belief that a petition can only be presented in the Court of Appeal. It is desirable, therefore, in order to remove that distinction,

that the interpretation of the words "clerk of the court" should be made so wide that a petition may be filed in any of the divisions of the High Court of Justice. I propose, therefore, to add the words "or in Ontario, in any division of the High Court of Justice."

On section 2,

Mr. THOMPSON. The object of this clause is likewise to facilitate the disposal of the trial of the election petitions which have been filed. As I explained on a former occasion, a number of these have been filed in one division of the court, nearly always in the Court of Appeal, and it is desirable to give facilities for distributing them. I will read to the House—as it is not a private letter—a letter I have received on this subject from the Chief Justice of Ontario. He says:

"I feel it my duty to bring under your notice the fact that under the election law seventeen election petitions have already been filed in the Court of Appeal. We are now within a little over six weeks of vacation—"

And this was written nearly a month ago—

"and we have about fifty-eight cases entered for argument, besides a number that have been argued and stand for judgment. It is most unlikely that of these cases much more than one-half can be disposed of by the 1st of July; and under such circumstances it would be most disastrous to the interests of suitors if the appeal judges were to attempt to dispose of this very heavy election business. I find, on enquiry, that seven have been filed in the Queen's Bench, four in the Common Pleas and none in Chancery. I bring this condition of affairs under your notice, while Parliament is in Session, so that the Executive Government may consider whether it is advisable that any alteration should be made in the law.

I may state that I have letters to the like effect from two of the other judges.

Mr. MILLS (Bothwell). I am sure it would be satisfactory to the public if the hon. gentleman would make provision that, in the trial of election petitions, two judges should sit for trial, in the same manner as provincial election petitions are tried in Ontario. There would be greater uniformity of proceeding, and I am sure the public, and those who are specially interested, those against whom petitions are filed, would be better satisfied with the results of the trial if that were the case. I think this is a favorable opportunity for the hon. gentleman to amend the law in that particular. The number of the petitions is not great, the judges will not be over-worked, and, under such a provision, there would be less disposition to call in question the decision of the court. Sometimes a judge is not in the best of health, but with two judges the trial would go on, and the result would be less liable to be questioned than under the present mode of procedure.

Mr. THOMPSON. The suggestion which the hon. gentleman has made is of course entitled to our best consideration, but I am not prepared to deal with it by way of an amendment to this Bill. It would be an important change; indeed, it would involve a consideration of all the provisions of the Controverted Elections Act, and would involve, I may say, in many parts of the country at any rate, an entire change in the arrangements which have been made for the trial of these petitions. In some Provinces it would entail very great delay, considering the large number of petitions which are entered.

Bill reported, and read the third time and passed.

SUPREME AND EXCHEQUER COURTS ACTS.

Mr. THOMPSON moved the second reading of Bill (No. 111) to amend the Supreme and Exchequer Courts Acts, and to make better provision for the trial of claims against the Crown. He said: When I introduced this Bill I explained the principal provisions which it contains. It has been long felt that a better mode of procedure for the trial of claims against the Crown and claims by the Crown was

Mr. THOMPSON.

needed in Canada. I need no better evidence of that than the fact that for three successive Sessions the matter has been brought before Parliament. The features of the Bill are principally these: It is proposed to withdraw from the judges of the Supreme Court of Canada the exchequer jurisdiction which they now possess, both as to claims against the Crown and claims by the Crown, and to vest that jurisdiction in a judge to be called the judge of the Exchequer Court, and his court will be the Exchequer Court. It is proposed that he shall receive a salary of \$6,000 a year. The reason for making so liberal a provision is that he will be a superior judge, and will have the adjudication of cases involving very large sums of money, and cases involving both public and private interests to a large extent. Besides, his work will be such as to require all his time. It is proposed likewise to withdraw the powers of adjudication which the Dominion arbitrators now exercise. I intend to suggest an amendment, which will be a matter of detail, and which will enable the head of a Department still to refer to one of the Dominion arbitrators to report on, any claim which may be made against any Department without sending them in the first instance to the court. The Dominion arbitrators are to be continued in office as official referees of the Exchequer Court, in order that they may be sent to take evidence and report upon cases at distant points, and to assist the judge in the progress of his business; and it will be convenient, I think, that some claims which involve small amount, instead of being sent to the court for adjudication, should be sent, as at present, to one of those referees for report; because it frequently happens that when claims are so reported upon their settlement is arrived at without any expense to litigants or to the Crown. At the same time, the House will understand me as adhering to the principle of withdrawing entirely from the Dominion arbitrators the powers they now have to make any adjudication on any claim. All that class of claims which are now referred by the Minister to the Dominion arbitrators will be hereafter referred in the same way to the judge, and the judge will deliberate and adjudicate upon those claims in precisely the same way as upon petitions of right. It is proposed, of course, to appoint a registrar to the court at a salary of \$2,000 per annum; and we take power to appoint such other officers, including stenographers, as may become necessary from time to time as the business proceeds, it being, of course, impossible at this stage to ascertain exactly what staff of officers will be required. I think the result of such a measure as this will be not only to improve very considerably, indeed, the procedure in connection with claims against the Crown, but to ensure a far more satisfactory disposition of them as regards the final result than is possible now. The House is aware that the great body of claims laid against the Crown are claims which are presented for adjudication to the Dominion arbitrators; and without wishing to say a word in disparagement of those gentlemen who have done their duty with great fidelity in the past, there is this inconvenience found in connection with a body like that, that it is composed of four persons who have to travel to different parts of the Dominion for the purpose of adjudicating upon cases, a plan which is attended with very considerable expense. But the more serious difficulty is that the board consists of laymen, and, as they have no technical knowledge of the rules of evidence, or of procedure, the effect has been found to be, that, in order to be strictly careful not to exclude evidence which a person skilled in the rules of evidence would very often exclude, the arbitrators have been exceedingly liberal in allowing the introduction of evidence, tending, in the first place, to great expense to litigants in keeping counsel and witnesses in attendance upon a tribunal which necessarily takes at least four times the amount of time which

would be necessary for the adjudication were it in the hands of a judge, and, in the second place, greatly increasing the expense in the cost of reporting and printing the evidence, and submitting it for adjudication upon appeal. I would be in a position, if the House needed them, to give some facts which would show the expense, both to the Crown and suitors, of adjudicating cases in that way before the Dominion arbitrators. The suitor very often finds that the costs which the tariff of fees allows him to recover is not at all adequate to the expense he has had to incur. I think the House will come to the conclusion that this is a far more satisfactory tribunal, and one which, even taking into account the allowances for its officers, is less expensive than the present mode of procedure. For these reasons I ask the House to consent to the second reading of the Bill.

Mr. DAVIES (P. E. I.) The Bill to which the hon. gentleman has called our attention is one of considerable importance in more than one respect. It proposes to alter the mode in which claims against the Government are now prosecuted to a final conclusion. It also proposes to increase the cost very largely. If I understand the Bill aright, it transfers the existing jurisdiction, which the Court of Exchequer now possesses, entirely to the new court, and the judges of the Supreme Court will hereafter have nothing to do with these cases. They will not be a court of original jurisdiction at all, but simply a Court of Appeal; in other words, their original jurisdiction will cease. So far as the point which the hon. gentleman last made is concerned, I am disposed to agree with him that, possibly, in many cases, the Dominion arbitrators do not constitute a satisfactory tribunal, but it does seem to me that the hon. gentleman, although he may have done something to improve that body, still retains it substantially as before. We have not the official arbitrators, nominally, but we have them under the name of official referees. By a provision of the Bill, the existing arbitrators are to remain in their present positions until superannuated, and after their death, superannuation or removal, there will be substituted for them other officials known as official referees. I am unable to understand that the duties of official referees in the collection of evidence will be much different from those of the official arbitrators. They will, of course, not pronounce judgment in the sense in which the official arbitrators do, but they will report to the judge what their opinion is of the claim. In the making of that report, it will be necessary for them to travel, just as the official arbitrators do at present, and to take the same amount of evidence. The official arbitrators not being lawyers, the change of name to that of official referees will not invest them with new powers of discrimination, but they will take the same evidence as before and make report to the judge, and, without the evidence, that report will be valueless, because the judge would not know on what basis to form his opinion. The Bill, as it now stands, divests the Supreme Court of its original jurisdiction, and transfers that jurisdiction to the new court, and calls on the country to pay a very large expense for the institution of that new court. We are now to have a judge costing \$6,000 a year, a registrar at \$2,000 a year, and all the auxiliary costs which invariably follow the constitution of an important tribunal of this kind. How many thousands it may amount to in the course of a year, I am not in a position to say, but I do think, in the first place, that the hon. gentleman has not shown the House there are sufficient public reasons to justify this large expenditure. The present system may not work as smoothly and as well as desirable, but the friction which exists and the difficulties which may exist can be got over without appointing an additional judge. The arbitration board, as it is at present constituted, consisting entirely of laymen, evidently does not meet the exigencies of the case, as the

Minister of Justice thinks it may be necessary to remodel that board, and, in making new appointments, to put men who are fitted for the position. The substance of the hon. gentleman's statement is that the present arbitrators do not understand their duties, that they take a vast amount of evidence totally unnecessary, and, in some cases, irrelevant, which makes it more difficult, in appeal cases, and more expensive to get at the real facts. That may be a difficulty, but it is one which may be easily got over without appointing a new court. I do not think it is desirable the original jurisdiction of the Supreme Court should be withdrawn. I think we should retain the Exchequer Court, as at present constituted, and if the Government come to the conclusion that a new judge is necessary—and that is a conclusion to which I am not prepared to commit myself at present—it will be more in the interests of justice that, instead of creating a new court, they would appoint a new judge for the Supreme Court. That court at present is composed of six judges, and in order to constitute a quorum there must be five on the bench. Three out of five form a majority, so that we sometimes have the anomalous condition of things when three judges overrule the decision of five judges in the courts below. I do not say that can, in all cases be avoided, but the fault can in some degree be mitigated by the appointment of an additional judge, if we are to have the large expense that will arise from the working of this measure. The Government a year or two ago brought down a Bill which had for its object something in the nature of what the hon. gentleman suggests in this Bill. That Bill was on entirely different lines. It was introduced by the Minister of Public Works to establish what he called a Court of Claims. This court did not, in any sense, infringe upon the existing jurisdiction of the Supreme Court. The Government, however, for some reason they have not explained, changed their mind. The Bill they now bring down is fraught with serious consequences; it imposes large additional costs on the taxpayers, and does not seem to me to be absolutely required. I, therefore, think it should be very carefully considered. I am opposed to its principle entirely.

Mr. WELDON (St. John). This Bill will make a material change in the jurisdiction of the Supreme Court. My hon. friend has adverted to the Bill introduced by the hon. the Minister of Public Works in 1885, to provide for a Court of Claims. The distinctive feature of difference between that Bill and the present one is that, in the first, the Exchequer Court was not interfered with; it merely did away with the official arbitrators. But, in this Bill, the official arbitrators still remain under the name of official referees. This Bill will largely increase the expenditure of the administration of justice, because it is necessary, under it, that a judge should be appointed at \$6,000, a registrar at \$2,000 a year, office clerks and others, which the Governor in Council is authorised to appoint, besides the travelling expenses of the official referees and other officers. It seems to me, if the Government would adopt the suggestion of my hon. friend, that an additional judge of the Supreme Court should be created and the Exchequer Court retain its present position, a large amount of expenditure might be saved and more effective machinery be had. Up to the present, as the Minister of Justice has said, the judges of the Supreme Court have conducted the business of the Exchequer Court very satisfactorily to the country, and it seems to me that the present mode has another advantage. We know that in the different Provinces there are various laws and various procedures, that the laws of one Province differ from those of another Province. If these judges are together, those who know the law relating to a particular case would be chosen, and that is far better than it would be in this case where the judge is simply a judge of the common law. Then, the judges from the Lower Pro-

vinces, who are more familiar with those laws and the questions arising under them, can divide the duties among them, and in that way the matter would be better attended to than under the proposed system, and business would be facilitated. Besides that, in this way you do away with the necessity for having another registrar and other officers. If additional assistance is required it can be supplied at a very small expense, and all the additional officers that might be required for the Supreme Court, if the Exchequer Court was continued as it is at present, would be much smaller in number than would be required by the formation of a new court. Of course, we can discuss the provisions of the Bill when it is in committee, but it strikes me that the principle of the Bill is wrong, involving as it does such great expense to the country, which would be better served by maintaining the present system and appointing an additional judge to the Supreme Court.

Mr. THOMPSON. The effect of the suggestions which have been proposed strikes me as being this: We propose that one judge shall be charged with this business and paid \$6,000 a year. My hon. friends opposite propose that we shall appoint another judge of the Supreme Court and so increase the public burdens by \$7,000 a year. The inconvenience does not end there, but, if we had another judge of the Supreme Court and abolished the arbitrators—which I presume is included in the suggestions of the hon. gentleman, for otherwise it would be no improvement at all—everyone who has a case before the court, no matter how small his claim may be, must come to Ottawa to have it tried, unless we keep the official referees, which my hon. friends opposite object to as increasing the expense. I think the criticism by which my hon. friend from Prince Edward Island (Mr. Davies) sought to answer my contention, that we were reducing the cost of litigation before the court of arbitrators, was not well founded. He contended that we were doing nothing more than changing their names. We are doing a great deal more than that. The present board of arbitrators has the power, the right, and the duty to adjudicate on the whole of the claims, to decide on the questions of law which may be involved, to take evidence on every point, and it has to sit as an entire body. We propose to change entirely the character of their duties and powers, and to place them under the control of the judge as referees. We propose that he may send one of them to any part of the country to investigate any question of fact upon which he desires to obtain evidence, but the referee will have no power to hear any evidence in regard to any branch of the case, except that in which he is called upon to act as official referee. Is there any Superior Court that has not now the power to appoint official arbitrators or assessors, or referees, and has anyone heard that that costs a great deal more to the suitor, or that it leads to the taking of a large mass of evidence such as the official arbitrators take now? In many cases where the arbitrators are proceeding in perfect good faith, and with every desire for economy, the evidence they take is three times as much as is necessary; and it is in contemplation in some cases to discharge the whole matter and to commence to take the evidence *de novo* because that is easier than to sift the unsound evidence from the sound. Does anyone suppose that, if an official referee were sent by the judge to report on the value of the property, the value of the animal lost, or the value of the damage sustained in a particular case, he would, in answer to that, report an immense book of evidence, taken as this evidence is taken upon every conceivable point, as these arbitrators necessarily must, because they have to adjudicate upon every part of the case? The judge would send them to investigate a simple matter of account, a question of value, the situation of the property, or whatever it might be, and they would report upon that subject to him, and he would retain the adjudication of all claims

which came before him. We are changing the duties and functions of these officers, and putting them in the same position as other referees are in under the judicature system. Those referees are not often employed, but, when they are called in, it is familiar to everyone how expeditiously and how easily the evidence they obtain is used in a court of justice, and how little it is open to the objection that it increases the expenses, as the employment of arbitrators increases it now. The hon. gentleman says that the remedy is to put competent men upon the board of arbitrators. I hope it may not be understood from what I said, as a fair inference, that the present arbitrators are not competent. I think they are, as far as men of that class and with that remuneration can be spoken of as competent to discharge what are really judicial duties; but, if we are to appoint men who are competent in the sense of being professional men, we shall have to pay a very different amount instead of the present salaries which are only \$1,000 a year. I do not understand why, if an individual has a claim against the Government or against a Department, which the Minister sends now to the board of arbitrators, a claim perhaps involving many thousands of dollars, as these claims sometimes do, he should not be entitled to as much skill on the part of the judge who determines that case as if he was a private suitor appearing before one of the superior courts of the country. If an individual has a suit against another we provide him with a skilled judge at no additional expense to himself, and our statutes provide that there shall be a certain number of years' experience at the bar before a man is appointed a judge, and the judges are paid liberal salaries for the skill which they are able to bring to the discharge of their duties. But if a suit is brought against a Department the suitor is sent before gentlemen who have no professional skill or attainments, and that although their award is conclusive to the same extent as the judgment of a court of law. The only remedy he has is to appeal to the highest court in the country, and the procedure in that court on appeal involves very considerable expense. I have no doubt, Sir, whatever that the procedure established by this Bill, and the tribunal established by this Bill, will accomplish all the purposes which it is our desire to accomplish, that is, to dispose of all the exchequer business and the business which is now done before the board of arbitrators, without increasing by a single dollar the expense that is now borne by the Treasury, and that we shall have diminished by at least one-half, the expense to the suitors and to the Crown of conducting the business before these tribunals. I might call the attention of the House to what the direct expense has been during the past year, for instance, of the board of arbitrators. Now, I will not take into account the salaries of the exchequer judges, the travelling allowances of the exchequer judges, their stenographers, their registrars and their officers, when they hear petitions of right in different parts of the country; and I am not taking into account one dollar for the cost of litigation, conducted in the expensive way in which it now proceeds; but taking the costs of the arbitrators alone, I find that for the two Departments of Railways and Canals and Public Works, in the last fiscal year, their travelling allowances amounted to \$6,000, and their salaries to \$6,000 more. So in respect of that one tribunal, we have a cost in one year of \$12,000, for a procedure without any professional skill, and in the most costly way that it is possible to have these trials conducted. and \$12,000, it strikes me, is ample to provide for the improved system of procedure and the more skilled tribunal which this Bill proposes to establish.

Mr. MILLS (Bothwell). I am unable to discover, although I followed the Minister of Justice very closely in the observations he has addressed to the House, how it is that he

expects to make that considerable saving by constituting an additional court. The Minister stated that he proposes to pay under this Bill to the Exchequer judge \$1,000 less than they would pay to a Superior Court judge if they were to add another judge to the Supreme Court. The hon. gentleman provides in this Bill for the appointment of a registrar at a salary of \$2,000. Well, if the hon. gentleman were to add a judge to the Supreme Court, allowing the original jurisdiction to remain where it is now, he would avoid that expense.

Mr. THOMPSON. Unless we centralise all that business in Ottawa, we must provide for the Exchequer judge going about the country to hear cases, and we must surely provide a new registrar for him, for the registrar of the Supreme Court cannot do it.

Mr. MILLS (Bothwell). I do not agree with the view expressed by the hon. gentleman, but that is a matter for further consideration. Now, the hon. gentleman has referred to the board of arbitrators. He told us that these were laymen, that they were not conversant with the law of evidence, that they took as evidence a great deal that was not legal evidence, that in fact they increase the labor of the judges four-fold, since they were obliged to review the evidence in those cases. Now, the hon. gentleman does not propose to get rid of that difficulty. He told us there would be a special reference only, that the particular branch of the subject which was involved, would be referred to them. Not only do these gentlemen travel outside the subject altogether and deal with other subjects, but in regard to the matter in hand, they are unable to distinguish between what is and what is not evidence, and the same difficulty would continue as when they were subordinated to the Exchequer Court, as it did when they were acting, as at present, as a board of arbitrators. Now, the Government are, in this matter, proceeding upon wholly different lines from what they proposed for the consideration of the House before. They left the jurisdiction of the Exchequer Court, the original jurisdiction of the Supreme Court, in fact, just where it now is. But the hon. gentleman proposes to divest the judges of the Supreme Court of their original jurisdiction as an Exchequer Court, and to confer all this power upon a single judge. If the hon. gentleman will look at the jurisdiction that is conferred upon this judge of the Exchequer Court, he will see how utterly inadequate a single judge would be to discharge that duty, supposing the country had confidence in the party the Government might appoint. Why, Sir, the Government propose not only to give to this judge a jurisdiction such as the Exchequer Court now possesses, but they propose to give to him concurrent jurisdiction with provincial courts on a great variety of subjects. Then again, I find by the 7th section, that the hon. gentleman proposes to give to this one judge the right of trying, in the first instance, all the disputes that may arise between the Government of the Dominion and any Province, or between one Province and another. The hon. gentleman knows that under the Supreme Court Act such power is conferred upon the judges of that court in their capacity as an Exchequer Court. The public have confidence in a court consisting of half a dozen of the most eminent jurists, but the hon. gentleman proposes to create an inferior court which is to consist of one judge, and to this inferior court is to be given the right to try, in the first instance, the most important cases that can possibly come before a judicial tribunal. Those cases may involve questions of political consideration as well as questions of statutory construction and judicial interpretation. Now, the hon. gentleman has also spoken of the change in the board of arbitrators. Why, Sir, if the hon. gentleman finds the board of arbitrators an inconvenient or an inefficient body, if he proposes to subordinate them to a court and confer upon them functions somewhat

like those now discharged by an ordinary master in chancery, or by an official referee, if he proposes to make them assessors in cases where technical knowledge is required, all that might be done by amending the law relating to the constitution of the board of arbitrators, without creating a new court at all. The hon. gentleman can subordinate them to the Court of Exchequer, he can make them a body of assessors and he can bring about all these reforms, and get rid of all these inconveniences which he has pointed out as existing under the law as it now stands, by subordinating them to the existing Exchequer Court. The hon. gentleman does not propose to do that. He proposes to create a new court, and confer upon that court a very large measure of jurisdiction, while at the same time he intimates, from the position which he assigns to the one judge of that court, that it is to be an inferior tribunal.

Mr. CHOQUETTE. (Translation.) Mr. Speaker, I must inform the House that I am in favor of the principle of this Bill, because I think that this will enable us to recover from the Crown damages which we could not recover heretofore. I will give an instance which happened in the county which I have the honor to represent. The Intercolonial crosses this county, and the same thing may be said of all the counties below Quebec. This railway is the cause of great damages every year. There are bridges which cause the water to flow back on the properties of the farmers, and it is clear that these damages are caused by the railway. We have complained again and again; we have asked for investigations, but we could never obtain anything, perhaps because these demands were made by me; however, I do not wish to say that it was for political reasons, but the fact is there, and under these circumstances we could never obtain justice. Well, if this Bill becomes law, we will be able to claim the amount of these damages; we will be able to make out a case against the Government, and we will be in a position to prove damages as we would in any court of justice, and obtain justice against the Government. Now, I am not prepared to approve every clause of this Bill, but I believe that the principle of the Bill ought to be adopted, in order to enable us to obtain damages which are at times very large. I know that properties have been damaged to a great extent, and farmers who are well known to me hardly two weeks ago have asked me to bring before the Government their own individual cases in order to obtain for them a compensation for damages caused by the Intercolonial Railway. I believe that with this Bill we will be able to establish these damages and to prove our case as we would before any other tribunal. Therefore, I say I approve the Government for having introduced this Bill, but it seems to me that the arbitrators should be dispensed with and that their office should not be continued by others under different names. The moment we have a judge before whom our witnesses may be heard, I do not see the necessity of the arbitrators, besides the judge himself may, if he sees fit, refer the case to arbitrators if needs be. Consequently if we wish to improve the present state of things, the arbitrators should be dispensed with, because the arbitrators are men before whom investigations only are made; now the judge will take the place of the arbitrators and the investigations will be held before him, and will be much more regular than they were before the arbitrators. The hon. Minister of Justice stated a moment ago, that there were circumstances when under the old law the arbitrators were judge in the last instance. I am not prepared to contradict the hon. Minister, but there is one case which came within my experience and which, to a certain extent, contradicts that. In the county of Montmagny a horse was killed on the Intercolonial Railway. One of the arbitrators held an investigation; it was proved before him that the horse was worth \$200. But what was the result? The case dragged along

for two or three years, and it was only sometime before the election that the Government made up their mind to pay, but they did not pay the full amount of the damage which had been suffered according to the statement of the arbitrator; they only paid \$160. Here are the facts such as they were reported to me, and, I believe, such as they happened. Well, if that is the case, the statement made by the hon. the Minister of Justice is not, in my opinion, conformable to what took place in the past, because this proves that the decision of the arbitrators was not final and that the Government or the Minister of Justice could revise it and not grant to the complainant the amount established before the arbitrators' court, but only the amount which the Government or the Minister of Justice thought just and reasonable to give. This shows that the arbitrators were only a commission of enquiry, that they were not judges and that their judgment was not final. To return to the present Bill, I say that we should dispense with the arbitrators and give jurisdiction to the judge, if he has not jurisdiction already, by inserting a clause under which he may appoint arbitrators. Therefore, I say, Mr. Speaker, that with the exception of certain clauses, I am in favor of this Bill, the effect of which will be to do away with the deplorable state of things which exists to-day.

Mr. AMYOT. I am happy to congratulate the Government upon the introduction of this Bill, which was necessary in order that we might obtain justice. I am not ready to assent to every detail of the Bill, but I think that, as a whole, it is very good, and will prove very useful to the public. There is one clause, though, to which I will object and upon which I will make a suggestion when it will come before the committee. That clause says:

"The practice and procedure in suits, actions and matters in the Exchequer Court shall, so far as they are applicable and unless it is otherwise provided for by this Act, or by general rules made in pursuance of this Act, be regulated by the practice and procedure in similar suits, actions and matters in Her Majesty's High Court of Justice in England."

This is practically excluding all the lawyers in the Province of Quebec from practising before that court. We know nothing about the rules and practice in England, and would have to begin again our studies, and we have no time to do so. I hope the Minister will see that as regards Quebec cases the rules and practice of Quebec will be applied, which I think will be nothing but fair. As to the Bill itself, I am in favor of its principle, and I hope it will be found practicable. I am in favor also of retaining the services of the Dominion arbitrators, because they possess a great deal of experience. I consider the country at large will be satisfied with the Bill, which should receive the support of this House.

Motion agreed to, and Bill read the second time on a division.

Mr. THOMPSON moved that the House resolve itself into Committee to consider certain proposed resolutions (p. 590) respecting the salaries of the judge and officers of the Exchequer Court of Canada.

Motion agreed to, and resolutions considered in Committee and reported.

CANNED GOODS.

Mr. BOWELL moved the second reading of Bill (No. 121) to amend the Act respecting Canned Goods.

Motion agreed to, and Bill read the second time; House resolved itself into Committee.

(In the Committee.)

Mr. WELDON (St. John). What description of goods are referred to?

Mr. CHOQUETTE.

Mr. BOWELL. This Bill is merely to change the law as it stands at present so as to provide that the word "soaked" shall be printed on the label at the top of the can sufficiently large to be seen. The goods embrace fruit, corn, vegetables and such articles.

Bill reported, and read the third time and passed.

LIQUORS ON BOARD HER MAJESTY'S SHIPS IN CANADIAN WATERS.

Mr. FOSTER moved the second reading of Bill (No. 122) respecting the conveyance of liquors on board Her Majesty's ships in Canadian waters.

Mr. DAVIES (P.E.I.) I understand that this Bill is prepared at the instance of the Imperial Government, and is a transcript of the English Act.

Mr. FOSTER. It is almost a transcript of a clause in the English Act.

Motion agreed to, and Bill read the second time, considered in Committee, reported, and read the third time and passed.

PRINCE EDWARD ISLAND SUBSIDY.

Sir CHARLES TUPPER moved that the House resolve itself into Committee to consider a certain proposed resolution (p. 708) respecting the subsidy to the Province of Prince Edward Island.

Motion agreed to, and House resolved itself into Committee.

(In the Committee.)

Mr. DAVIES (P. E. I.) Will the Minister explain the basis upon which this sum is arrived at?

Sir CHARLES TUPPER. I may say that the Order in Council which I have laid on the Table of the House, gives, I think, the necessary explanation. The attention of the Government was called to the fact that, in the arrangements for the admission of Prince Edward Island into the Union, they were not in a position to derive the same amount of advantage from the expenditure on the Intercolonial Railway and the Canadian Pacific Railway as the other portions of the Dominion, which were on the mainland, and which were in immediate railway communication with those roads. The question was raised that, as the expenditures on both these railways was so greatly in excess of what was estimated at the time the island was brought into the Union, they ought to receive some corresponding consideration on that account. Then there was the further question that Parliament had adopted the policy of subsidizing lines of railway in the other Provinces—that in Ontario and Quebec, Nova Scotia and New Brunswick, there had been considerable expenditures in connection with the construction of railways, and the island had not received any corresponding advantage. No subsidies had been granted for the construction of railways in Prince Edward Island, and on those two grounds it was claimed that there should be additional consideration given to the island. That matter having been carefully considered, the Government felt warranted in undertaking to propose to Parliament a grant of \$20,000 a year to meet the claims founded upon these two causes. That is set forth in the Order in Council, and the resolution is for the purpose of carrying it into effect.

Mr. DAVIES (P. E. I.) I need not say that I am thoroughly in sympathy with the spirit of the hon. gentleman's resolution, but I only wish to ascertain how he arrived at the amount. Do I understand that the expenditure so far as the Canadian Pacific Railway is concerned, was not taken into consideration in making up the amount?

Sir CHARLES TUPPER. Oh, yes, it was.

Mr. DAVIES (P. E. I.) Then it was the expenditure on the Canadian Pacific Railway, and the excessive expenditure on the Intercolonial beyond what was anticipated, and the amount of subsidies paid under the new system adopted a few years ago of subsidising provincial roads?

Sir CHARLES TUPPER. Yes.

Mr. DAVIES (P. E. I.) I understand from the hon. gentleman that a careful calculation was made, and that this was the result—\$20,000 a year?

Sir CHARLES TUPPER. That is the result.

Mr. DAVIES (P. E. I.) A careful calculation based on those three expenditures?

Sir CHARLES TUPPER. We, of course, desire to be liberal.

Mr. DAVIES (P. E. I.) Because my own impression is that the hon. gentleman has erred in the other direction.

Some hon. MEMBERS. Oh, oh.

Mr. DAVIES (P. E. I.) I think I will be able to convince the hon. gentlemen before I am through, and I am sure that when I have convinced the Minister of Customs, he will be one of the first to go for the increased allowance. I would ask the hon. gentleman whether, in this allowance, it is perfectly plain that the claims which the island has preferred against the Dominion Government are not included in this amount. Of course the hon. gentleman is aware of the controversy, in which he took part, between the island and the Dominion, before the Home Office; that there is a large pecuniary claim which the island made against the Dominion Government. That is not included in this.

Sir CHARLES TUPPER. It is confined to the amounts stated in the Order in Council.

Mr. DAVIES (P. E. I.) And those other claims remain as they were before? Do I understand that this is in any sense or way treated as a settlement *pro tanto* or in whole, of those claims, or do they remain as before? That is the information to which I think we are entitled.

Sir CHARLES TUPPER. The Order in Council speaks for itself. We have only undertaken to deal with the grounds which are stated in the Order in Council.

It being six o'clock the committee rose, and the Speaker left the Chair.

After Recess.

House again resolved itself into Committee on the resolution.

Sir RICHARD CARTWRIGHT. This is the first time that we have been brought absolutely face to face with the necessary consequence of the policy adopted by the Government a few years ago in granting aid to local enterprises. I am bound myself to admit that if you once, in a confederation situated like ours, commence granting local aid to local enterprises, I see no alternative.

Sir CHARLES TUPPER. You mean general aid to local enterprises?

Sir RICHARD CARTWRIGHT. No, I mean particular aid to local enterprises. I mean such as the hon. gentleman has been giving in various ways, but especially in subsidies to various railways of importance only to particular localities; and the point to which I wish to call his attention and that of the committee is this: Here for perhaps the first time, under an Order in Council, we have virtually recognised the result of granting aid to certain local enterprises. Here the Government feel compelled to come down

and give half a million as compensation to Prince Edward Island for the sums which have been granted in various directions in other Provinces. Now, I must say that it appears to me that we cannot possibly stop here, and that the consequences contained in this grant will go a great deal further. I think the Government will find themselves obliged at no distant time to consider the question of the revision of the financial position of the whole Dominion. Everything you grant to Prince Edward Island you must of necessity grant elsewhere, if a similar case or anything approaching it is made out. I have no intention of opposing the grant to Prince Edward Island on the principles I lay down. Very likely the demand made by that Province is quite justifiable, and that it may be that this vote is quite justifiable. I am not going to gainsay that; but what I do call the attention of the committee to is that most assuredly this particular grant will not stop here, but what has been time and again pointed out by myself and others as a consequence of the policy of the Government is going to come to pass, and that when we consider our present debt, we will have to take into consideration an enormous mass of undefined liabilities which are now virtually sanctioned by this Order in Council in the present measure. I doubt very much whether, under the circumstances, the Government will not be called upon to consider the propriety and expediency of making very large grants to various other Provinces. I must say I think the Province of Ontario will have a very large claim. If you grant half a million to Prince Edward Island and several millions to the Maritime Provinces, you will have to grant very large sums to all the other Provinces, and you will establish a case for an arbitration among the Provinces in order that it may be seen that they shall each receive their due share from the Dominion Treasury. I was somewhat surprised, that being so, that the Minister of Finance introduced this proposal without a word, and as a matter of course. I do not think it will be possible for him to refuse to consider the claims of sections of Provinces as well as Provinces. I believe he will have to consider the necessity of making large grants to the Province of Ontario in order to compensate that Province for the grants he has been making in other parts of the Dominion.

Sir CHARLES TUPPER. I am glad that I am relieved from the necessity of defending this vote by the statement the hon. gentleman has made that he does not intend to oppose it, and for the sufficient reason that he seems himself impressed with the propriety of making the grant. At all events, the ground on which this appropriation is made is specifically stated, and if the ground of the appropriation is not sound, the appropriation is not justifiable, and the hon. gentleman would be bound to oppose it; but the moment, when that ground is stated clearly and explicitly, he says he is not in a position to question the propriety of the grant, I think I am relieved from the necessity of any labored argument in support of it. I think the very ground on which we have placed the appropriation has so commended itself to the hon. gentleman's judgment as to be our best vindication for having made the appropriation, and I think he will find that it is based upon principles that will absolutely prevent it being made applicable to any other Province, or entail the expenditure of a shilling in any other province whatever. It is true, I thought, that the five minutes before six o'clock which remained when I rose to propose this vote, would enable us to get through it before six o'clock, because, I thought, having stated in the Order in Council the grounds on which it was made, it would so commend itself to every person that very few minutes would be sufficient to dispose of it.

Mr. DAVIES (P. E. I.) I am not quite satisfied with the appropriation that has been made by the hon. gentleman in favor of the Province from which I come, and I think I

shall be able to satisfy every reasonable man in the House that an examination of the figures —

Sir CHARLES TUPPER. I think I would be almost tempted to ask the House to reject the appropriation if the hon. gentleman is not satisfied with it.

Mr. DAVIES (P.E.I.) It appears that this committee is a kind of gagged committee—that I am not allowed at all to show that the Province from which I come is entitled fairly and honestly to a larger appropriation than the hon. gentleman proposes. He lays down the proposition that if I attempt to discuss it at all he will withdraw the vote. Well, Sir, I will take the risk of such a threat. I propose to lay before the committee a few figures which I think will convince them, and the hon. gentleman too, that when a further claim is made on behalf of Prince Edward Island, it is one that ought to be and will be conceded. The hon. gentleman stated that this grant was made to Prince Edward Island on three grounds; first, that there had been a larger expenditure on the Intercolonial Railway than was anticipated when the island entered the Union; second, that there had been a new policy inaugurated in 1882, of subsidising local railways in the different Provinces of the Dominion; and, third, that there has been an unprecedentedly large expenditure on the Canadian Pacific Railway—an expenditure not anticipated at the time the contract was entered into or at the time the island came into the Union. Now, I think the principle is a reasonable one, that a Province like Prince Edward Island, which in no way has benefited by the new policy inaugurated by the Government, of subsidising local railways, and does not derive any benefit whatever from the immense expenditure on the Canadian Pacific Railway or the increased expenditure on the Intercolonial Railway, is entitled to some recognition at the hands of the Government. But the only question I wish to present to the Minister is whether he has sufficiently considered the figures and has given the island as much as it is entitled to. Now, an impression prevails largely amongst members of this House that the island has been rather a favored Province.

Some hon. MEMBERS. Hear, hear.

Mr. DAVIES (P. E. I.) Hon. gentlemen cheer that statement, showing that it is concurred in by a large number of members, and that impression is based upon the belief that Prince Edward Island had its railway built for it by the Dominion of Canada. That impression has been removed from the minds of a great many who have learned the facts, and I am sure will be removed from the minds of those who are cheering the statement, when they learn the Dominion never paid one dollar towards building the road. We are paying money to build railroads in every part of the Dominion. We have spent one million dollars to build railways in Cape Breton, and I did not offer strenuous opposition to it, but, as a matter of fact, the \$3,250,000, which the Prince Edward Island Railway cost, was paid for entirely by the people of the island themselves. So far as railway accommodation is concerned and railway subsidy, Prince Edward Island has never received one cent from the Dominion except the small sum voted two years ago, at the instance of the Minister of Railways, to carry out the terms of Union, by building the short line between Cape Traverse and the main line. Therefore, while all parts of the Dominion have been reaping, and will continue to reap in the future, the benefits which will flow from the expenditure of our money on railways, the island, from its peculiar position, has not benefited and will not benefit by that expenditure. When the hon. gentleman proposed his resolution, I asked the grounds upon which he based his calculations, and I had the curiosity to examine how much money Canada has become liable for since the new policy of subsidising railways was inaugurated in 1882. I find we

Mr. DAVIES.

have become liable for subsidies to the extent of \$23,000,000. Hon. gentlemen will recollect that, before 1882, it was not the policy of the Government to grant subsidies to local lines at all. The policy was introduced in 1882, local lines were declared to be for the benefit of Canada; and from that time to the present, every Session has witnessed large sums of money granted to different parts of the Provinces of Ontario, Quebec, New Brunswick and Nova Scotia. I find that the population of Prince Edward Island is one-fortieth that of the Dominion, and if it shared to the same extent as the other Provinces in these local subsidies alone, it would be entitled to the \$20,000 per year the hon. gentleman proposes to vote. Putting, therefore, this vote upon its proper ground, we are not receiving any sum whatever for the expenditure upon the building of the Canadian Pacific Railway. The amount which the Dominion of Canada has expended in that work in cash, outside of land, as everybody knows, is over \$70,000,000; the amount we have expended on the Intercolonial Railway since Prince Edward Island came into the Union, beyond what was then calculated, is about \$10,000,000, and the amount the hon. gentleman proposes to vote to the island simply represents its fair share of the grants made towards subsidising local railways in the other Provinces. The sum proposed in no sense represents what we are entitled to for the expenditure which the Dominion has incurred upon the Canadian Pacific Railway and the Intercolonial Railway. In fairness, I must say that when the island came in, allowance was made for contemplated expenditure on the Intercolonial Railway. It was assumed there would be a large expenditure on the Intercolonial Railway, and that there would be some few millions expended on the Canadian Pacific Railway. That was taken into consideration, but there is an enormous sum, representing some \$50,000,000 or \$60,000,000 at the least which has been expended by the Dominion upon the construction of the Canadian Pacific Railway and the Intercolonial Railway, which was not contemplated at all at the time the island entered Confederation. Of course, everyone knows that that Province, from its insular position, does not derive any benefit from the construction of those works, at all commensurate with the benefits other portions of the Dominion derive. I think, therefore, the hon. gentleman should have taken that fact into consideration, and the amount granted the island should, in common justice, have been at least nearly double what he proposes. I do not see how these figures can be got over. The fact of our being one-fortieth of the Dominion entitles us, if our terms are to be readjusted and we are to be placed on a fair basis, to a sum that ought to represent a proportionate amount, according to population, of the expenditure in the other parts of the Dominion. My hon. friend speaks of this opening a door for claims by the other Provinces. It may be so to some extent, but I find the other Provinces have had granted to them, in subsidies, all of which of course, have not been expended, since 1882, the sum of \$23,000,000, besides the \$70,000,000 expended on the Canadian Pacific Railway, on no portion of which expenditure can we by any possibility derive the benefit which other portions of the Dominion will. Under these circumstances, I wish it to be understood that the Government are not conferring any special favor on that Province whatever. They are not even giving us our fair honest rights, and I trust, at no distant time, this matter will be put on a fair basis, and we will get the balance we are fairly entitled to. Hon. gentlemen know that if we had not expended \$3,250,000 on the Prince Edward Island Railway, we would to-day be entitled to stand in the same position as Cape Breton, and have a railway built for us. But we did not do that; we built the railway ourselves. Therefore, while accepting the resolutions of the Government, I do so with the protest that it is not sufficient, and I hope at no distant date the unfairness will be remedied.

Mr. WELSH. I say so, too. The hon. the Finance Minister is beginning to treat us right, he is making a step in the right direction, and we are getting some of the crumbs that fall from the rich man's table; and if the rich man does not give us some more crumbs, he will find himself in the same place as did the other rich man—rather warm. If the hon. the Finance Minister had only consulted the members from Prince Edward Island, I have no doubt he could have settled the business in one job, but he does not offer to consult the members from Prince Edward Island as to what is required for the island. We are looked upon, I suppose, as having no right to offer suggestions here. I do not expect, of course, on this side of the House, that we would get the patronage of the island; we leave that to some of the political hacks; but we do expect that we would be consulted on everything concerning the welfare and public interest of the island. Although there are six of us on this side of the House representing Prince Edward Island, I do not suppose the Government will go so far as to pass a Coercion Act against us. I maintain this is only a drop, only a measure of justice. Some hon. members on that side and some on this side think Prince Edward Island is a great nuisance. I would like to hear them say so, and the Government say so. Let them cut the painter and send us adrift, and we will give them a handsome subsidy of \$200,000. We are all loyal, and all we want is even-handed justice. Until we get that, we will not be satisfied. The Finance Minister knows well these outstanding claims against the Dominion Government by the Local Government amounting to \$5,000,000; he has seen the delegation from Prince Edward Island; he has argued the case before the Colonial Secretary in London; he knows what our grievances and claims are. He knows also that Earl Granville, I think it was, wrote out recommending a generous treatment of Prince Edward Island. Will the Finance Minister tell me that this offer of \$20,000 a year is a just consideration of that claim? I admit that he frankly tells us it is a claim outside of that; it is a claim in connection with old expenditure on the Intercolonial Railway. I believe that is his argument, and I am very glad to hear that it is only a settlement of one small claim by itself; but I would like very much to see the whole matter laid before this House, and an equitable settlement of these difficulties arrived at, so that the Federal Government and the Local Government would be in unison. We may be extreme, perhaps, in our demands—I am not going to enter into that question—but I do hope that the Government will at an early period take this matter into consideration and have it settled, because the Finance Minister knows very well that when we went into Confederation, our tariff was only 11 per cent., I think it was, and we went in on the Dominion tariff of something like 15 per cent. We went in on that basis, and they allowed 80 cents per head of subsidy to the Local Government. Since that the taxation has increased from 15 per cent. till now it is very nearly 30 per cent.

Mr. MITCHELL. Nearly 100 per cent.

Mr. WELSH. Yes, nearly 100 per cent. We stopped the fertilisers, though. While it has gone up from 15 to 30 per cent., our subsidy has not increased in proportion. I do not want to be unreasonable. I am very glad to see this matter come down, and as my colleague says, if it were double the amount, I should go for it with double the pleasure.

Resolution reported and concurred in.

Sir CHARLES TUPPER moved for leave to introduce Bill (No. 139), to provide for an additional subsidy to the Province of Prince Edward Island.

Motion agreed to, and Bill read the first time.

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DOMINION LANDS ACT.

Mr. WHITE (Cardwell) moved the second reading of Bill (No. 113), to amend the Dominion Lands Act. He said: This Act relates purely to matters of detail, and if the House will consent to its being read the second time now, so as to go into committee on the next Government day, the details may be discussed more effectively than on the second reading.

Motion agreed to, and Bill read the second time.

SUPPLY—COMMERCIAL RELATIONS WITH FRANCE.

Sir CHARLES TUPPER moved that the House resolve itself into Committee of Supply.

Mr. AMYOT. Mr. Speaker, before you leave the Chair I desire to call the attention of the Government on a very important question.

Some hon. MEMBERS. Hear, hear.

Mr. AMYOT. If the hon. gentlemen think we have no right to speak in French in this House, they are very much mistaken, if, out of courtesy, we generally speak in English, they should not, when we do speak in French, say "hear, hear" or cry "question," as they did this afternoon when my hon. friend from Montmagny (Mr. Choquette) tried to speak in French. I know that some papers laugh at our pronunciation, but I expect more courtesy from this House.

Some hon. MEMBERS. Hear, hear.

Mr. AMYOT. (Translation.) On the 30th of March I had the honor to call the attention of the Government on a question of public interest: on the necessity of a treaty of commerce with France, an exceedingly important question, not only for the present, but also on account of the very serious circumstances which it may involve in the future. This question is not altogether new, for as far back as 1859 and 1860 certain financial arrangements were made between England and France concerning Canada. And I find, in a conference signed jointly by the French Ministers, the British Ambassador and by our representative at London, bearing date the 15th of March, 1882, a statement in the following terms:—

"In 1859-60 an informal arrangement gave to Canadian products certain advantages for importation in France, on condition that, as regarded several French articles for importation in Canada, the Canadian duties should be assimilated to similar articles of English manufacture, on the further condition that the duties on wines, excepting, however, sparkling wines, be reduced to a shilling per gallon, that is to say, the rate settled upon for the import duty on French wines in England.

"Canada had not been mentioned in the treaty between France and England in 1860; nevertheless, it had the benefit, under the above mentioned arrangement, of being treated as the most favored nation, until 1873.

"But from that time, the French Government adopted another system, and placing Canada under the general tariff, caused a material damage to that country."

And further it is said, that these arrangements, commenced in 1859 and 1860, had been highly beneficial to Canada and to France:

"The trade between France and Canada, which, until 1873, had taken a great impulse, has decreased since, under the old general tariff, and there is no doubt that, under the new system, it will decline entirely. But it is for that reason that the Canadian Government would heartily wish to find a remedy to such a disastrous condition."

This, as I have just said, was declared on the 15th of March, 1882, at the conference held in Paris. It was then found that during the first period, when we had commercial relations between France and Canada, the trade had progressed, but since this arrangement had ceased, trade had suffered, and there were indications of a still greater depression for the future. In the first place, I must say that the Government of Canada have always concerned themselves with this question, or at least have seemed to concern themselves

about it. Sir Alexander Galt, our delegate at London, was instructed by the Government to open official negotiations. They were commenced in 1878; I will not repeat them here, for in 1885 I had the honor to explain them to the House. They will be found in the Debates of 1885, pages 866 and following. In 1878, however, it was semi-official and not official negotiations which were opened, and in prevision of what was going to happen, France consented to take the first step. I find in the official report, bearing date the 20th of March, 1882, of a conference between Sir Alexander Galt and the French authorities, the following passage:—

"In the course of conversations which took place in 1878, with a view to the improvement of that situation, it was pointed out that in case that France would consent to re-establish the duty of 2 francs per ton register on sea-going vessels, Canada would blot out from its tariff the over-tax of 30 per cent. on wines."

That is to say, Mr. Speaker, that on the one hand, in 1878, France consented to reduce from 40 francs to 2 francs per ton, the duties on our ships, on the promise that Canada had made to reduce the duties on French wines. France kept her word, but Canada has not done so. Our pledge is still unredeemed. In 1882, as I had the honor to say, the first official conference took place. There were several of them; they have all been detailed in the first speech which I delivered on the 30th of March, 1885. Later on the present Minister of Finance was appointed High Commissioner, and I said in the first speech I delivered on the subject, among other things:

"Things were in this state, when Sir Charles Tupper was appointed High Commissioner to London. If the rumor is to be credited, and the papers asked for will show whether it is to be credited or not, Sir Charles Tupper has attempted new negotiations. On the 5th of November, 1883, if I am well informed, he submitted a memorandum in which he proposed:

"1. That France should grant to Canada the benefit of the tariff granted to the most favored nation, and should abolish the over-tax on goods in bond imported from Canada into France by way of England or any of the seaports in Europe.

"2. That Canada should grant to France the privileges of the most favored nation and abolish the duty of 30 per cent. which is now imposed on wines, while maintaining the specific duties now imposed. Such would be the proposal made on the part of Canada. Lord Lyons, Ambassador in France, has, it seems, assented to it, and the Colonial Office, on his recommendation, and at the request of Sir Charles Tupper, has also, it seems, assented to it. I am even told that France is ready to sign a treaty to that effect, but I do not know how far the negotiations have gone."

I concluded, Mr. Speaker, by moving for the returns concerning this question. We will now see what answer was given to me then by the hon. Minister of Public Works (Sir Hector Langevin). He said:

"I congratulate the hon. gentleman on the able speech he has made. He is very favorable, as we all are, to opening commercial relations with France. Of course, as the hon. member has shown, negotiations had been carried on between this country, through the Ambassador at Paris and the High Commissioner in London, and France. These negotiations lasted for several years. I hope, with the hon. gentleman, that the time will come very soon when those negotiations will be resumed, and that they will come to such a result as will be a benefit to Canada as well as France. No doubt also the result can be obtained without too great sacrifice on our part; but if we have to make a sacrifice, we must expect that this country with which we will have to deal will make a corresponding sacrifice. That is the only way in which we can obtain a reciprocity between the two countries. I have no objection to the papers being produced, and they will be brought down as soon as possible."

On this point, Mr. Speaker, I must make two remarks. In the first place, I must say that the returns promised in 1885 are not before the House, and have not yet been brought down. I have examined all the Sessional papers and no trace of them can be found anywhere. I regret it very much, and this shows that the Government have not dealt with this question as they should have done. I am certain, however, that the hon. Ministers, with the intelligence for which they are noted, and with the experience which they possess, understand the importance of the question; and to find that they have not, to this moment, found means to bring down these documents, is a thing of which the

Mr. AMYOT.

House and the country have good reason to be surprised. In the second place, I have reason to think that the informations which were given to me in 1885, with regard to the High Commissioner, the present Minister of Finance, were correct; and I must congratulate this hon. Minister on the ability which he has displayed on that occasion in obtaining the consent, or at least, the probability of the consent of France. Now, Mr. Speaker, the papers for which I have moved, not having been produced, I have had to apply to France to get information, and to obtain certain informations which are here, however, in the Departments, and which, it seems, people are trying to conceal from us. Since the negotiations have been continued by the present Minister of Finance (Sir Charles Tupper) the matter continued to be agitated in France. We have there a representative, Hon. Mr. Fabre, who does his best to ensure the success of our negotiations with the French Government. He publishes a newspaper, and has given a number of lectures which were highly remarked in France, which were copied by a large number of newspapers, and which have very greatly added to the commercial and financial fame of Canada, and made known its numerous resources. In the second place, he has been busy with continuing semi-official relations with the French Government, and, I believe, not without results, as will be seen in the reports which he has made to the Canadian Government. I believe he has made four since the last four years. There is not one of them before the House, that I know of; at least, I am not aware that there are any printed. It seems that with regard to this question, all the means which we might have to receive informations are intentionally refused to us. I notice that the Government, on receiving each of Mr. Fabre's reports' always addressed to him the most flattering letters of congratulation and of thanks. The last report which he has made, and which is very important, was welcomed as warmly as the others. It is dated April the 20th, 1886. I will quote, among others, the answer given by the Government to Hon. Mr. Fabre, with regard to his report of the 26th of February, 1885. I will read it in English, because the document which I have in my possession is in that language:

"The undersigned has the honor to report to Council that there has been referred to the Minister of Finance, translation of a report of Hon. Hector Fabre, agent of the Canadian Government in France, under date of the 26th February last, on the subject of commercial relationship with France. The subject is one of very great importance, and owing to the pressure of business at present cannot be given that attention which it deserves. The undersigned therefore recommends that the thanks of the Government should be conveyed to Mr. Fabre for his valuable report, and that as soon as possible enquiries should be made into the several subjects referred to in the report.

"Respectfully submitted,

"M. BOWELL,

"Acting Minister of Finance."

It will be seen, Mr. Speaker, that the Government could not help admitting the strength of this report and acknowledging that it was framed in the interest of Canada. The last report of Mr. Fabre confirms his previous reports. I hope that it will soon be before the House, and printed in the Sessional papers. Mr. Fabre has succeeded in securing the services of a young Frenchman, who is exceedingly intelligent, who came several times to this country, who is doing his best to establish a line of transatlantic steamers between France and Canada, and takes great interest in our trade with France. Mr. Foursin-Escandé is the name of that young Frenchman. He communicated with the then Ministers of France, and here is the final result at which he was enabled to arrive, at least as far as I could find by the papers which I have been able to procure. The following letter dated at Paris on the 1st of April, 1886, speaks for itself.

"MY DEAR FOURSIN,—I have seen Mr. Fernand Faure, deputy for La Gironde, to whom I spoke about the treaty of commerce with Canada.

Mr. Faure has been in Canada; therefore he is fully disposed to help us. I would advise you to present yourself at his house in my name. He will see you again at 10 o'clock at his domicile, 26 Rue Cardinet, on Thursday morning."

On the following day, that is, on Wednesday morning, 14th April, 1886, the following letter was addressed to Mr. Foursin-Escande:—

"Sir,—I will have the regret to not see you this morning. I am obliged to leave for the South at 8.45. I will not come back in Paris before about the 20th of May.

"I have seen Mr. de Freycinet and I have spoken to him about the project which you pointed out to me. In his opinion, after having examined the question, it is impossible for France to prepare a treaty of commerce or an agreement as regards Customs with Canada without referring the matter to England, and he hardly thinks it possible that himself or the Minister of Commerce should pledge themselves to an agreement of any value tending to secure to Canada on the part of France the treatment of the most favored nation.

"But it goes without saying that should the Canadian Government, using their own autonomy as regards Customs, reduce the duties on our wines and liquors, the French Government would, by that fact, be pledged to reciprocate by a liberal measure such as that of which we have spoken.

"I hope, Sir, that you will kindly believe that it will always be agreeable to me to follow and to study all questions in the interest of relations between France and Canada. And accept the assurance of my highest esteem.

(Signed) "FERNAND FAURE."

So that, Mr. Speaker, on the 14th of April, 1886, the French Minister declared that should Canada reduce the duties on French wines, with the exception of sparkling wines, as we had promised to do when France had consented to reduce from 40 to 2 francs per ton her duties on our ships, France would immediately be pledged towards us, and pledged to what? Pledged to give us the rights of the most favored nations, that is to say, to give us the benefit of her tariff with all the nations of Europe with the exception of three, which are, I think, Denmark, Holland and Greece, which tariff gives her wealth, while it gives profit to the nations which are trading with her. France would be disposed to grant us these rights, the rights of the most favored nations. The matter is, therefore, in our own hands, thanks to the exertions of the hon. Minister of Finance, thanks to the efforts of our friends in France, thanks to the efforts of Mr. Fabre, and I might add also, thanks to the efforts of the hon. Secretary of State, who, when he went to France, did his utmost to promote our interest in that respect. I am really astonished, Mr. Speaker, when I see in the Cabinet men whom I know to be friendly to commercial relations with France, as well as with every nation in the world—I am astonished, I say, to find that the Government remain stagnant, dumb and inactive. I am surprised to see that this question seems to be a dead question in the opinion of Ministers who pretend to be in favor of protection. What is protection, Mr. Speaker, if it is not intended to diminish as much as possible the price of the goods to the consumer in the country, and to secure an abundant market, a ready market and a paying market for our own products? Now, the more we shall extend our relations, the greater the number of countries trading with us, the more chance we will have to cheapen the price of the goods to the consumer, and the more chance we will have of securing a high price for our goods. Such is the principle of protection of which we are boasting so much and so justly. I have just shown that since 1886, thanks to all the efforts which have been made, our trade with France is entirely within our hands. It may be asked, what are the advantages which may result from a treaty of commerce with France? It seems to me, when it is a question of securing a market of 40,000,000 souls among as intelligent a people as the people of France are, with cities such as Paris, Lyons, Marseilles and others, in a country friendly to England, a country wherein a portion of the population of England spend a part of the year—it seems to me that, on a matter of this kind, it should be considered as almost useless to discuss the expediency of maintaining commercial relations with such a country. The usefulness, Mr. Speaker, would

be in the first place for our import and export trade. Allow me to give you a list of a few of the goods which we might export to France with advantage. In the first place we have our lumber of all sorts, our fish and game products, our minerals, such as iron, copper, zinc, platina, mercury, bismuth, manganese, phosphates, gypsum, asbestos. The trade in asbestos might become very profitable. Our friends living in the eastern townships know what an immense quantity of asbestos is to be found there. A manufacture of asbestos is now in operation in Quebec. I may say, by the way, that it is to be regretted that our great railway companies, the Pacific and the Grand Trunk, who have received so many favors from the public, should import their asbestos from foreign countries, and a very inferior quality of asbestos at that, instead of using the Canadian asbestos, which is of a superior quality. Besides, we have here coal, petroleum, marble, slate. We have our manufactured goods of all kinds, divers kinds of leather, boots and shoes, cheese. I believe I have already stated to this House that the cheese manufactured in Canada was exported to the English markets, where the Canadian trade-mark was taken off and the English trade-mark substituted to it, and that after this change had taken place, that cheese was sold in France as an English product. We have also sugar, eggs, poultry, and a number of other goods. There is still our shipping, the vessels which we might build and sell with advantage. We have also the works of our writers which might be exported to France, and which would find there a sufficient demand to procure a source of income to their authors. We have still a number of other things which would be too numerous to mention and which we might very profitably export to France. Let us now examine the import trade. I find in the able report made to the Maritime and Inland Navigation Syndicate of France by Mr. Agostini, who came here to visit the country with a large number of distinguished Frenchmen, last year, a list of the goods which we might principally import with profit. The Government have had the good idea of having this report printed and of causing it to be distributed in this House, and I congratulate them of that fact. The more France and Canada will know their mutual resources the better it will be for all concerned. Here is that list. I am merely summarising it:

"Black and light colored merinos, cloth, crape, haberdashery, silk and velvets, gloves, fancy trimmings, furs, hats and caps, flowers and feathers, umbrellas, canes and whips, hair, perfumery, furniture, musical instruments, clocks and watches, jewellery, bronzes, morocco-leathers, trunks and valises, optical instruments, looking glasses, combs and brushes, china and crystal, smoker's articles, books and stationery, leathers, chemical products, hard and small wares, alimentary products."

This trade between France and England both in importations and exportations, I do not hesitate to say it, and I believe I will be supported in this view by every business man, would before two years amount to hundreds of thousands of dollars, if we could have a treaty with France and be treated by her as the most favored nation. There are also the light wines—these wines which would be so useful to the working class and which are a real food. But it will be said: You will diminish the revenue of the country. Mr. Fabre's reports show the contrary. At present, the revenue which we derive from the 30 per cent. *ad valorem* on the wines does not amount to \$30,000. If we should abolish this duty, 30 per cent *ad valorem*, leaving the specific duty as it is—the importation of French wines would considerably increase; it would increase ten-fold, a hundred-fold perhaps, and what we would lose on the apparent amount of 30 per cent., we would gain it by the specific tax on the immense quantity of wine which would be imported into the country. More than that, Mr. Speaker, I will now address myself to the advocates of total abstinence, which is an impossibility, as has been shown by experience. Let me tell them: Introduce light wines, the pure French wines into the country, and you will have taken a great step towards temperance.

The use of wine is not bad; the abuse only is pernicious. And it is known that it is impossible to make a frequent abuse of light wines; those who have tried it once seldom repeat the experiment. Therefore, I say: Introduce light wines into the country and you will materially diminish drunkenness, this plague of modern ages, especially in northern climates. I believe, I have shown, in a previous speech, that if we had a commercial treaty with France, we might compete with advantage with the United States on the French market. There is still another side to the question: Supposing that complications would arise between England and other countries, and that on account of a war, or for one reason or another, our vessels would find it impossible to land in England, would it not then be fortunate for us to have the French market in which we could sell our produce? With regard to such a small country as the Island of Cuba, or when it is proposed to establish relations with Spain, no pains are spared, no step, no effort is considered as useless. The British authorities, the Canadian authorities, the diplomatic influences, everything is brought to bear. When France is to be dealt with, everything sinks down to a dead calm. Fine promises are made, but that is the last of it. Why? I do not know. It is probable that the immense amount of business with which the hon. Ministers have had to deal, have prevented them from dealing with this question; but I hope the country will soon be able to congratulate them on a change of their policy on this subject. I wonder also, Mr. Speaker, what objections could be brought against this treaty of commerce with France. Not one has ever been stated. We see all the advantages which may arise from a treaty with a country of 40,000,000 inhabitants. We see the French banks exporting French money and putting it within the reach of every borrower. Take, for instance, the *Crédit Foncier Franco-Canadien* which was introduced here. In one year only that financial institution has caused the rate of interest to fall in the country places from 8, 9 and 10 per cent., which it was then, to 6, and even to 5 per cent. We know what abundance of money can do. Competition necessarily brings a fall in stocks, and the consumer reaps the benefits. I will now, Mr. Speaker, address myself to the French Ministers, to those who most specially represent the Province of Quebec in the Confederation, and I ask them to forget for a moment the present needs, and to think a little of the future of their countrymen. I do not pretend to say that a commercial treaty with France would benefit the French Canadians exclusively. No; our English fellow-citizens are intelligent, and they would soon find out the advantages they would have in having commercial relations with France, but I say it is easier for the French population to benefit from trade with France than from trade with other countries, on account of the similarity of language. I repeat it. The future ought to be considered more than it is; it should be noticed that in our country all the wealth goes one way and all the poverty goes the other way. We are in an age of declension and of egotism for a part of the country and of the population. Let us see what takes place in the North-West. To what extent are we represented, we, French Canadians, in that country? What are the advantages which are offered to us there? What has been done to induce those of our countrymen who were too far from those regions to go and settle there? What has been done to induce them to take up land? What has been done to direct there a movement of repatriation? Nothing, Mr. Speaker. One day we will find that the whole North-West has been monopolised, and we will have to act the part of servants for half a century before we can become proprietors there. Such is the result of remaining mere spectators while others are toiling on. Mr. Speaker, if the hon. Minister who more especially represents the district of Quebec was at his seat, I would call upon him to look at the city of Quebec, which is struggling in the embrace of agony, that city where the value of pro-

Mr. AMYOT.

erty is declining, where trade is languishing; I would ask him to look at this great seaport, where so many ships could be seen at one time, and where are now only a few unoccupied tow-boats. Quebec had been promised a ferry boat to connect the Intercolonial Railway with the Pacific. Where is that ferry boat? Elections were carried on the strength of that promise, and that was the last of it. The hope was held out to it that a bridge would be built to put an end to its isolation, and to connect the railways on the southern shore of the river with those on the north shore. When shall we have that bridge? All these schemes have had the same fate as the railway to Cap Rouge. The opinion seems to prevail that political humbug will create the prosperity of a country. I pray, for mercy's sake, the Ministers from the Province of Quebec to keep their eyes open. It is a fine thing to be in power. It is a fine thing to deal with the affairs of the moment, but let us look a little in the future if we wish that hereafter the people may be grateful to us, if we wish to do our duty like statesmen, like diplomatists. I congratulate my English-speaking fellow-citizens on the energy which they constantly display; they act like men. I like that, and I call upon my own countrymen who could do it to put their shoulder to the wheel, and help their countrymen. They know what they can do; let them not sacrifice too much to the transient needs of the moment; let them not be too much absorbed in the present, and let not the future of their country escape their attention. Well, we ask it, in the name of the prosperity of the country, in the name of the future of our nation, we ask them to do their utmost, and strive to obtain a commercial treaty with France. Why should it be refused to us? Why should we not take advantage of the chances which are offered to us? I have said it: The Government have taken so little notice of these great interests that they have not even brought down the papers promised two years ago. France—thanks to the ability of the hon. Minister of Finance, thanks to the work of Mr. Fabre, and of our numerous friends, thanks to the generosity of the Mother Country—France said: I am ready; I will consent to treat you as I treat the most favored nation. The obstacle must come from here. From whom, and why? I do not know, but I simply state the fact, and I deplore it. Well, I call upon our Ministers from the Province of Quebec, and I ask them, for the sake of their honor, for the sake of their reputation, for the welfare of their countrymen, for the prosperity of their countrymen in the present and in the future, to be so kind as to extend the circle of our relations, and to see that the wishes of the Province of Quebec, and the wishes of Canada at large, be satisfied. They can do it. The matter is in their own hands, and it is their imperative duty to act at once. I hope, this time, at least before long, we will have the pleasure to add to the list of the nations with whom we are dealing, one of the countries the most friendly to England: France, that old country, which we love so well.

Mr. CHAPLEAU. The Government accept in good part most of the remarks which the hon. gentleman who has just taken his seat, has made to the House, but I think some portion of his observations is not correct. In a preceding Session, my hon. friend called the attention of the Government to the importance of developing trade with a large nation like France, and to the importance of obtaining a commercial convention or treaty with that important country. So far my hon. friend is right. After we have created a National Policy, after we have developed manufactures in our country to a very great extent, it is but natural, it is but just, and it is necessary for the Government to look outside of our own limits, to find markets for the products of our industry. So far my hon. friend is right. A commercial treaty between a nation of thirty-six millions is necessarily a very desirable thing for a young country like Canada,

containing only four millions and a half of population. The hon. gentleman has said that there is every disposition in France to favor such commercial relations. It is true, my hon. friend says, also, that there has been of late years, and especially during the last two years, a certain immigration from France to this country—only a small immigration, I must say, because the French people are not given to immigration; but within the last two years, there has been a certain amount of immigration to this country, and of a very good quality, bringing some capital. My hon. friend has also stated correctly that if the exports from France to Canada, and the exports from Canada to France, have been small, there is no reason to believe that the amount might not easily be increased. I admit that there are a number of articles which could, with advantage to both nations, be interchanged in trade. My hon. friend has said, and I agree with him, that our agent in France, the Hon. Mr. Fabre has been working assiduously to spread throughout France and the continent the good name of Canada. My hon. friend has also spoken in the highest terms of the zeal and energy of the High Commissioner, the present Minister of Finance; and he has stated truly when that hon. gentleman went to France, after the unsuccessful efforts of his predecessors in trying to secure reciprocal trade relations between Canada and France, the High Commissioner had been not only well received, but had met with great encouragement in the pursuit of his object. But, Mr. Speaker, my hon. friend is not just to the Government; he is certainly misinformed or unjust, when he says that this Government has been so indifferent to this question as to have neglected to bring before the House the papers which had been promised, and not even to have had printed the very interesting report of Mr. Fabre, the Canadian agent in France. These reports have been laid before the House; if they have not been printed it is, perhaps, owing to those gentlemen who take an interest in this question, having neglected to ask the Printing Committee to print those reports. I regret that they have not been printed, because they were of very great interest, not only to the House but to the country. My hon. friend is unjust in saying that the Government has been indifferent to the question of trade between France and Canada. On three successive occasions this Government has sent to France commissioners empowered to negotiate, if possible, a commercial convention with France. On two different occasions that commissioner proceeded to Paris, but, unfortunately, French governments have succeeded each other so rapidly in France—although I do not want to blame those in that country who were favorable to a convention—but I may say that owing, perhaps, to the interruption in the policy of the French government in regard to foreign questions, or in regard to this question of trade with a small country like ours—we must use that expression in comparing the two countries—perhaps, I repeat, it is owing to the interruption in the policy of various French governments that these negotiations have not succeeded. I know that our Government has always been fully alive to the importance of that question. My hon. friend mentioned that this Government was pledged to France either to reduce the duties on wine or abolish them altogether, on condition that France reduced or abolished the duty of 40 francs per ton on Canadian ships entering her ports. It is true these duties have been abolished in France, but he forgot to say that when they abolished the duties, they reduced them on Canadian built vessels from 40 to 2 francs, which is the duty of ships built in England. At the same time the French Government gave such a bounty to their own shipbuilders that the abolition of the duty was scarcely of any advantage to Canadian shipbuilders. I must say that I regret that the papers which were promised in 1855, have not been laid before the House. It was probably due to an oversight of the then Finance Minister, but I do not think that any harm has been done. I

am sure that High Commissioner will see that negotiations, if they can be once more reopened, will be prosecuted to a successful result, if that be possible. My hon. friend has presented a very gloomy picture of decadence, of disintegration, of decline of trade and industry in the Province of Quebec, and he has drawn a very gloomy picture of what the future of the North-West would be when we took the North-West in relation to the Province of Quebec, or to the majority of the people of that Province. Let me say here, for the information of my hon. friend as well as for the information of the House, and also for the Province of Quebec, since the hon. gentleman has spoken of the Province of Quebec, is it not more the fault of those who have refused to go or who have not chosen to go and place their energies there, who have refused or neglected to go and settle that great North-West of ours? Is it not more the fault of those who have not thought proper to invest their money in the North-West? They may have been deterred by the first efforts made by foreign capitalists. We know very well that not all the English, Scotch and American capital that has been sent has been successful, and perhaps the comparatively poor Province of Quebec, where capital is not so large, and that portion in whose name my hon. friend was speaking, has not dared to invest capital in the North-West and to undertake there enterprises which would have brought not only capital but French Canadian settlers into that country. After the two expeditions that took place to the North-West, one in 1870 and the other in 1885, we all thought a large proportion of the volunteers going from the Province of Quebec would have selected lands in the North-West and settled there. With the proverbial genius of French Canadians as settlers, with their great energy, their perseverance, their frugality, we all expected a large emigration would go from Quebec to the North-West. My hon. friend perhaps knows that there have been not only obstacles, but impediments and even prohibitions to procuring immigration from the Province of Quebec to the North-West. Those who have placed their veto in opposition to the colonisation of the North-West from the Province of Quebec know better, probably, than I do, or my hon. friend does, the reason why they did it. Perhaps my hon. friend knows, and if he does not I can tell him, that it was stated in a good many parts of Quebec that it would not be correct to depopulate dioceses in that Province even for the North-West. Whether that policy was good or not I am not here to judge; but the fact is, that if French Canadian immigration to the North-West has not been so large as we might have presumed and supposed it would have been, the cause will be found elsewhere than in the action of the Government with respect to the North-West. I have followed the hon. gentleman over this ground which is apart from the main question, which is one of trade relations between France and Canada. Let me tell this House and my hon. friend that the great objection has been this: you cannot have trade relations and consequently develop those trade relations, unless you have means of communication between those two countries. My hon. friend should, therefore, give credit to the Government, because since 1881 a subsidy, I do not call it a very large subsidy but a generous subsidy, has been inserted in the Estimates for the encouragement of a line of steamers between France and Canada. Why, do the importations from France appear to be small? If the direct importations are small, it is due to the fact that there are no means of communication. Why have we no means of communication? Because the line of steamers asked by the French people has not been established, and this has not been through the fault of the Government. Two or three unsuccessful attempts have been made, and I am glad to say, as my hon. friend knows, that this Government has been quite ready to encourage the enterprise; and so far have they gone in that direction that

when a gentleman came this year with a view to establish a line of steamers, they assured him not only of the subsidy, but they even granted him additional facilities, all of which goes to show that the Government are disposed to act in the direction suggested by my hon. friend. It is a pleasure to me to state here, that although the negotiations with the firm of Rossière, one of the largest firms of Havre, with the Government have been completed not more than seven or eight weeks, a steamer has already left Havre to come to this country, and, if she has not already arrived, she will arrive in a few days. If trade can be developed by this line of steamers, what will be the consequences? One of the great difficulties in regard to establishing commercial relations was that we did not know what importations from France we required, and what would be acceptable exports from Canada. In order to promote the successful carrying on of the line of steamers, those interested will naturally seek to obtain advantages in the fiscal policy of France for Canadian products, and I am sure if there is the least desire on the part of the French Government to go half way, this Government will not be reluctant to go the other half. I am perfectly sure also that if the establishment of that line of steamers is successful great progress will have been made in the direction of more intimate trade relations between the two countries. I can say to my hon. friend that I have asked the Minister of Finance to give the necessary orders so that the papers asked for may be laid on the Table of the House to-morrow, and steps can then be taken to have them printed for the use of members. I think I have answered the different points put forward by my hon. friend. I am perfectly sure the Government are desirous of securing the same object as he is seeking to attain, that the Government are desirous of extending the trade relations of this country with other countries, and that it is but a natural desire for this Government to seek to have opened a market in a large country for the manufactures of this Dominion. I am sure the Government have no objection to furnish the papers asked by the hon. gentleman, and I am confident that I am not mistaken in my statement in saying that the Government will always be ready to do all in their power to secure those advantages.

Sir RICHARD CARTWRIGHT. In view of the fact that the Minister of Finance has occupied the position of High Commissioner, and therefore is supposed to be specially conversant with the important question raised by my hon. friend who spoke first, I think the hon. Minister ought to give the House some little information on the points raised. There can be no doubt whatever that our trade with France, a country which is connected with a large portion of Canada by so many ties, might naturally have been expected to develop, and no doubt one of the objects for which the High Commissioner was supposed to be made High Commissioner was to promote such trade as that with France. Now, unfortunately during the last few years our trade with France has declined instead of having made an advance. It has been declining both as regards the imports and exports. Some years ago it was larger by many hundreds of thousands of dollars than it is to-day. I had supposed from the statements made by the hon. gentleman's predecessor on many occasions in this House that something substantial might have resulted if not with Spain at all events with France; and notwithstanding all that has been said by the Secretary of State, there does not appear to have been any exertions made, to say the least of it, or any such exertions made as were of the slightest avail. No doubt the hon. gentleman was anxious to accomplish this object; but on looking over our trade returns, it appears that both our imports and exports with France were greater fourteen years ago than they are to-day. I see that at various periods at intervals

Mr. CHAPLEAU.

they have attained in the case of exports \$300,000 or \$400,000 more than to day, and in regard to imports about the same amount; and it certainly appears to me that we have been unfortunate in our efforts to develop trade relations with France, when I find that the trade in both directions is diminishing and not increasing. I think the hon. gentleman did well to call the attention of the House to the fact, but I think, Sir, that the results which have been displayed do not afford any very great encouragement in hoping that the policy of the Government will be very successful in developing trade with France. I cannot but feel that in a country where a million of people are of French origin this is a trade which does afford considerable chance for expansion, but I am sorry the Government have not taken any great amount of interest in endeavoring to develop it.

Sir CHARLES TUPPER. I do not feel it necessary to occupy the time of the House, after the very full statement made by my hon. colleague the Secretary of State. I quite agree, however, in the statement just made, that we are indebted to the hon. gentleman who introduced this subject to the House, for drawing the attention of the House to it. The Government have not been insensible to the importance of extending our trade with France. I took an opportunity recently to point out to the House how anxious we were to extend our trade in every direction. I may say, however, that circumstances arose which tend to the conclusion that it was desirable to terminate if possible the making of arrangements with Spain, before again resuming definitely the negotiations with France, and for another reason, and that was that we were of opinion that the establishment of a line of steamers between France and Canada would greatly promote and facilitate our efforts in the direction of extending our trade with France. The House knows that it has not been for any lack of effort on the part of this Government that that line of steamers has not been put in operation before. Such a subsidy as the House was led to believe would be sufficient for that purpose was cheerfully voted by the House, and efforts have been made, from time to time, to secure the establishment of a line of steam communication. Even quite recently the Government were very glad to avail themselves of the opportunity of entering into arrangements with a very strong firm of gentlemen in France, who were prepared at once, in case the Government accepted their proposals, to put this line of steamers upon the route; and, as my hon. colleague the Secretary of State has stated, the first steamer has already sailed, and I have every reason to believe that we shall have now a very efficient line of steam communication established between France and this country. I feel sure that that will greatly facilitate our efforts to extend our commercial arrangements, and improve the fiscal arrangements which exist between France and this country. I do not think that at this moment it is necessary to say more than that the subject has not been lost sight of, that it will continue to engage the careful attention of the Government, and that I am able to say from personal communication that I believe the Government of France will be found well disposed, at the proper moment, to take up the subject with a view of seeing how trade can be promoted between France and Canada.

Mr. MILLS (Bothwell). I cannot see how it is that the Government on the Treasury benches should express such extraordinary anxiety to increase the trade with France, or with any other country, when, according to the rule they have laid down for ten years past, the perfection of wisdom is to build up home industry and make this country self-sustaining. The hon. gentleman and his leader told us that this country was ruined by its foreign trade and its dependence upon foreign countries as a market for the products of the people. We were told that we were to have a home

market for everything that our agriculturists had to sell, for everything that this country could produce. In fact every farm was to be converted into a kind of kitchen garden, by which the income of the agricultural population was to be increased four or five fold. Then there were millions of capital abroad awaiting investment in this country. We were, instead of sending everything thousands of miles away, to have a market at home; the articles which we were receiving in exchange for our own products were to be produced in this country; every village was to be converted into a town, every town into a city, and every hamlet into a village. There were to be manufacturing establishments in the sight of every farmer in this country from the Atlantic to the Pacific. That being the case, what do hon. gentlemen want with foreign trade? If they are anxious for foreign trade, why do they erect such high barriers to serve as impediments to that trade? Since we have met this Session, we have had the taxes on a great many articles more than doubled, and yet the hon. gentleman in the face of his tariff, in the face of his policy, in the face of the declarations made to the people of this country, year after year for the past ten years, still professes now to be in favor of extending the foreign commerce of this country.

Mr. RINFRET. (Translation.) Mr. Speaker, I only learned this evening that this debate would take place on our commercial intercourse with France, therefore I am not prepared to address the House on this question. However, I feel it my duty not to allow a few of the statements of the hon. Secretary of State to pass unchallenged. I have not been surprised to hear the hon. Secretary of State acknowledge the importance of our commercial relations with France. It is not the first time the Government pronounce in favor of the adoption of a commercial treaty with the Mother Country, but, unfortunately, they never carry out their admissions, and they limit themselves to making vain promises. The hon. Secretary of State has ascribed to a hostile feeling, on the part of the French Government, the total absence of any commercial relations with France. That may be a cause, but I believe that the true cause exists in the fiscal policy of the Government. For nine years back the National Policy has been established, and it is painful to find that we have not yet succeeded in securing one foreign market, by means of commercial treaties, for the exportation of our produce. As far as I am concerned, I am not surprised of that, because I have never believed in the sincerity of the Government with regard to the establishment of commercial relations with foreign countries. Indeed, Sir, the policy of the Government has been to this day a policy of commercial restriction. The Government have never done anything to extend our commercial relations. The National Policy which was to result in giving us a national market for the sale of our produce, has had no such effect at all, and I am sorry to state that we have succeeded still less in securing a foreign market for the exportation of our manufactured goods. When the hon. member for South Oxford (Sir Richard Cartwright) made his speech in answer to the Budget speech of the Minister of Finance, he perfectly proved that the exportation of our manufactured goods, not only had not increased, but had even decreased to a large extent for a few years back. I am sorry to find that all that has been done until now by the hon. Minister of Finance as High Commissioner for Canada has had no result whatever. The question of our commercial relations with France, Spain and the United States, has often been raised, but until now nothing has been done, although each year the Government has admitted the great importance of these relations. The hon. Secretary of State has been pleased to recall to our minds the name of Mr. Fabre and he has spoken of that gentleman's efforts in the direction of French immigration in Canada. He

said that Mr. Fabre is a very good officer, and that the only reason why the French do not immigrate to Canada is that the French are not a population of emigrants. There may be some truth in that. But if there is one thing which has been clearly proved at different times in this House, it is that Mr. Fabre's efforts as emigration agent in France have always been absolutely ineffective. It has repeatedly been proved that this man has only been appointed to that office in order to reward him for his political services and for his treason. It will be remembered that this man had been appointed a Senator by the liberal party, and it was evidently on account of promises of that kind that Mr. Fabre changed his political colors. His appointment was made in order to reward his services in favor of the Conservative party, and not to reward his services to his country. The hon. Secretary of State has also referred to the exportation of our vessels to France. This is still another of the promises which had been made by the Conservative party in 1878. It had been promised that shipbuilding would flourish at Quebec under the new policy adopted by the Government. In 1878, it is true that shipbuilding at Quebec had decreased, but to-day this industry does not exist at all. There is not one dock-yard left in St. Roch or St. Sauveur, who were the great shipbuilding places in the country. And if we examine the statements of trade and navigation we find that, not only in Quebec, but also in the Maritime Provinces, there is a large decrease in the shipbuilding industry. And why? Evidently because the Government make no effort whatever to insure the exportation of our ships in foreign countries. Therefore, Mr. Speaker, I believe that the true cause of the want of success with which we have met until now in the exportation of our produce abroad, lies in the indifference of the Government towards the adoption of commercial treaties; and if the hon. Secretary of State had chosen to speak frankly, he would have admitted that the cause of the evil lies in the policy of the Government itself, which policy is to restrict our trade, instead of extending it by all possible means.

Motion agreed to, and House again resolved itself into Committee.

(In the Committee.)

Intercolonial Railway—Rolling Stock\$318,000

Mr. JONES. Will the hon. Minister of Finance tell us for what purpose this is to be expended?

Sir CHARLES TUPPER. It is to provide for three sleeping cars for the English mail passenger service at \$15,000 each, \$45,000; 10 locomotives at \$3,000 each, \$90,000; 200 20-ton coal cars at \$550 each, \$110,000; 100 box cars at \$600 each, \$60,000; to provide for fitting up 200 freight cars with the Westinghouse brake, \$13,000; total, \$318,000. These are necessary for the increased through, coal, and other traffic, and with the view of greater safety in conducting the traffic.

Mr. JONES. Will the coal cars be sufficient to accommodate the increased traffic from Pictou?

Sir CHARLES TUPPER. Yes.

Mr. JONES. The hon. gentleman will remember that on a previous occasion I drew his attention to a complaint made by the Pictou colliers of not having sufficient rolling stock to enable them to get their coal to market, which caused them to lose a large portion of the business done at Halifax. I understand that has been remedied.

Sir CHARLES TUPPER. Yes.

Mr. JONES. Does the hon. gentleman propose to retain the same rate of freight for coal from Pictou to Halifax that has been charged heretofore?

Sir CHARLES TUPPER. I think so.

Mr. JONES. On what principle does the railway charge 18 cents for about 90 miles from Pictou to Halifax, while at the same time it carries coal for \$2 from Springhill to Montreal at a loss?

Sir CHARLES TUPPER. The question of the short and long haul.

Mr. JONES. But the hon. gentleman will observe by his own report that there is an actual loss on carrying coal that distance. Does he think it fair to the colliers at Cape Breton, as well as to the taxpayers elsewhere, to carry coal at that rate and to maintain the high rate for carrying it from Pictou to Halifax, whereby the people in Halifax who consume coal have to pay a correspondingly higher price for it. I am glad to see that the Government propose to have Pullman cars put on the trains for the accommodation of passengers from Rimouski. Last year that was a matter very much complained of. Perhaps in this connection I might ask the hon. Minister of Railways whether it is not possible to travel at a higher rate of speed over the Intercolonial Railway than at present prevails. It takes 40 hours to travel from Halifax to Montreal, which in either hot or cold weather is very wearisome. It appears to me that the speed might, with very little additional expense, be increased to such an extent that the run from Halifax to Montreal, and *vice versa*, would be made in something like 30 hours. Many people from New Brunswick prefer to go to Montreal by way of Boston, to taking the long route from St. John and Halifax to Montreal over the Intercolonial. I think this is a very important matter just at this time. The roads in the United States now travel at a very high rate of speed, and I cannot imagine what can prevent the Government railway, with all the facilities at its disposal, with a good track and very few stoppages, from travelling at a faster rate than something over 20 miles an hour.

Mr. POPE. I can only state to the hon. gentlemen that it is our desire to make as fast time as we can; but we have been prevented from doing so for several reasons. For instance, we have to make a great many stops, and there is pressure brought upon us all the time to make more stops. It is our desire to make as fast time as possible, consistent with giving reasonable accommodation to the people living along the line.

Mr. JONES. I would ask the hon. gentleman if there is any railway on the continent of the same length on which so few stoppages are made as on the Intercolonial Railway between Halifax and Montreal. I doubt it very much.

Mr. POPE. The hon. gentleman must know that on almost every railway there are special fast trains which make very few stoppages. The Grand Trunk, between this city and Montreal, makes no stops at all. We are unable to do the same thing on the Intercolonial Railway.

Mr. WELDON. One great objection to passengers going to St. John by the Intercolonial Railway, is the detention at Moncton for three or four hours, waiting for the train from Halifax. There was some talk of having the Halifax train run through, and another train to follow, meeting the train from Quebec and then going on.

Mr. POPE. The hon. gentleman must see that on a road situated as the Intercolonial Railway is, with not a very heavy passenger business, we cannot put on trains enough to avoid making these stops. Passengers on the Grand Trunk are delayed two hours at Richmond.

Sir RICHARD CARTWRIGHT. I would like to ask if the Minister of Finance is able to inform us what is the total amount that has been charged to capital account for rolling stock since 1878?

Mr. JONES.

Sir CHARLES TUPPER. I have a statement of the entire amount charged from 1873-74 down to the present time. The amount expended for additional new rolling stock in 1873-74 was \$3,099,45; in 1875-6 \$1,960.45. In 1877-88, it was \$125,245.52; in 1878-79, nothing; in 1879-80, nothing; in 1810-81, nothing; in 1881-82, \$205,005.20; in 1882-83, \$628,244.39; in 1883-84, \$586,286.84; in 1884-85, \$287,213.97; in 1885-86, \$221,025.63. Total \$2,129,073.45.

Sir RICHARD CARTWRIGHT. Can the hon. gentleman tell me where I can find in the reports any full statement of the amount of rolling stock belonging to the Intercolonial Railway in 1878?

Sir CHARLES TUPPER. I will lay a statement of that on the Table to-morrow.

Sir RICHARD CARTWRIGHT. Will the hon. gentleman also lay on the Table a statement of the present amount of rolling stock?

Sir CHARLES TUPPER. Yes, I will bring that down to-morrow.

Mr. WELDON. Is it the intention of the Government to extend the station of St. John by taking more ground?

Mr. POPE. We have been making some enquiry, and had an estimate made of the cost of some property which we thought was very high.

Mr. ELLIS. What is the position of the Carleton Branch. When the Government engineer was in St. John, some months ago, he met a committee of the citizens, composed of members of the Board of Trade and others, and one of the requests the committee made was that the Government should run a train over the branch. Is the branch in such a condition that a train can be run over it?

Mr. POPE. I have not seen anything of that requisition, neither have I considered the question. I will see if we have any correspondence on that subject.

Mr. ELLIS. Is the branch still in the possession of the Government?

Mr. POPE. At present the New Brunswick Railway is running it.

Mr. JONES. I notice an increase in the working expenses of the road from \$73,273 to \$94,756, an increase of \$16,482 over the previous year. Will the hon. gentleman say how that increase was caused?

Mr. POPE. That includes all the working expenses. In the first place we have expended in a new station over \$100,000, we have also had a great deal more through freight and more freight going to Montreal.

Mr. JONES. At a loss?

Mr. POPE. I explained before that freight did not pay exactly, but it added to the working expenses.

Mr. WELDON. The value of the stores at Moncton is \$719,000. That seems to be a large amount where stores can be procured in so short a time.

Mr. POPE. The hon. gentleman must refer to new rails.

Mr. WELDON—

Ordinary stores, including fuel.....	\$293,765 24
Iron and steel rails and fastenings.....	152,333 97
Second-hand material, serviceable.....	58,796 00
Old material for sale.....	214,762 67
	<hr/>
	\$719,660 88

Mr. MILLS. If there is not that amount on hand—

Mr. POPE. The hon. gentleman is speaking of something else. We have not sold our old rails for the reason that they are low and are likely to rise.

Mr. JONES. You can put the duty and make them as high as you like. About the stores question, I moved in the Committee of Public Accounts for a detailed statement of every account, and it was brought down all right, and to that extent was satisfactory. But there is just this about it, that there is no check outside of the Department such as applies to other Departments. That is to say, in some of these Departments there is an inspector who goes over these accounts and certifies to their correctness. I do not mean to say that they are not correct, but it appears to me it would be more satisfactory for the head of the Department to have these accounts certified every year by some properly authorised person outside the Department. In that way, when these accounts are brought down, their value would be more fairly arrived at.

Sir CHARLES TUPPER. I can give the hon. gentleman a statement of the rolling stock which I think will meet the case. I will give him the statement of the rolling stock purchased on capital account up to the 30th June, 1886. On 30th June, 1876 there were 100 locomotives. There were since added, at the cost of capital, 64, making 164 now. There was one official car in June, 1886. None has been added since.

Mr. JONES. Is that the Brydges car or the Government car?

Sir CHARLES TUPPER. That is the Brydges car, or one that has taken the place of it. There was one paymaster's car then, and one has been added. Of first-class passenger cars, there were forty-six in 1876, and twenty-three have been added, making sixty-nine now. There were no second class cars; seventy-six have been added. There were no first-class sleeping cars in 1876; there are now ten. There were no baggage express cars then; there are forty-six baggage express cars now. There were no box cars then; there are 1,457 box cars now. There were no cattle cars then, there are 72 cattle cars now. There were 1,028 platform cars then; 414 have been added, making 1,442 now. There were four conductors' vans then, 79 have been added, making 83 conductors' vans now. There were 900 five-ton hopper coal cars then; there are 595 now. That is a decrease, because they have been converted into other descriptions of cars. There were no fifteen-ton coal cars then; there are 125 now. There were no twenty-ton coal cars then; there are 1,092 now. There were no ten-ton coal cars then; there are 18 now. That accounts for the decrease, because there has been a change from the five-ton hopper cars to the fifteen-ton and ten-ton cars, the five-ton cars not being found suitable. There were 900 five-ton hopper cars; now there are 595 five-ton hopper cars, 18 ten-ton flats, and 123 fifteen-ton gondolas, which are of equal capacity to the original 900 five-ton hoppers. I think that is the statement the hon. gentleman wanted.

Mr. MILLS (Bothwell). Perhaps the hon. gentleman will tell us how it is that the consumption of fuel costs nearly twice as much on the main line of the Intercolonial Railway per mile to run a locomotive as it does on the Prince Edward Island Railway. One would naturally think that on the main line, where coal can be obtained with greater facility than in Prince Edward Island, it would cost less, but the reports of the hon. gentleman show that it costs very much more. There is something there that requires explanation.

Mr. WELDON (St. John). I find that the expense of fuel per mile is \$6.20 on the Intercolonial Railway, while on the Prince Edward Island Railway it is \$3.80.

Mr. JONES. I would ask whether the rolling stock to which the hon. gentleman referred is all in good order? I

have understood that a great deal of it is not in good running order.

Sir CHARLES TUPPER. That is always the case.

Mr. JONES. But I understand there is a very large proportion. I would also ask if, when the Intercolonial Railway cars arrive at Point Lévis, they are discharged and loaded into the Grand Trunk.

Sir CHARLES TUPPER. No. They were, but not now.

Mr. JONES. I asked the question because I was informed that such was the case. At times, as the hon. gentleman is aware, there has been a great scarcity of cars in Halifax, and all along the line, and I have been informed on several occasions, on very good authority, by people connected with the line, that it arose largely from the fact that the refineries in Montreal in the winter season had these cars loaded and made storehouses of them, and only discharged them as they used the sugar, and so kept a large number of the Intercolonial Railway cars in Montreal. That was the excuse which was given very frequently by people connected with the railway in Halifax, when steamers arrived there, and they had not enough cars to take the freight.

Mr. POPE. I do not exactly understand the hon. gentleman. Do I understand him to say that the cars are detained at Lévis?

Mr. JONES. No, at Montreal. Can the Minister give any explanation of that?

Mr. POPE. They have been delayed there at times, and we have been always troubled by not getting our cars back. At one time, we insisted on getting the transshipment made at the junction, because we could not get the cars back, but we found that that was very troublesome to shippers. We had some complaint last year about it, but, as a rule, they did much better last year than before.

Mr. JONES. But the Minister will see that they have it in their own power. They need not make any arrangement with the refiners in Montreal. When a car arrives at the end of the line, they have to discharge it in a certain time, or to pay—and very properly so—a certain amount of expense for it, whereas in Montreal it has been the habit—not an exceptional case—every winter when the sugars are landed at Halifax for the Intercolonial Railroad cars, as I am informed on good authority, to be used as warehouses for the refineries in Montreal. The result is that other parties having business to do with the Intercolonial Railway along the line are prevented from getting cars.

Mr. POPE. The hon. gentleman will see that we have no charge of these cars in Montreal when they are handed over to the Grand Trunk. We cannot control them on the Grand Trunk, and that is why at one time we refused to allow them to go to Montreal and made them transship at the junction. I am aware that there has been some delay, but exactly the same complaint is made in Halifax, that the cars are occupied as storehouses.

Mr. JONES. I have no doubt that, on certain occasions, merchants may want their cars detained, but I know that, as a rule, the cars are not detained in Halifax, and that they are not allowed to be detained. It appears to me there should be some arrangements made whereby the authorities of the Intercolonial Railway can have control of their own cars.

Mr. POPE. They cannot.

Mr. MILLS. Flies on the wheel.

Mr. JONES. Has this been represented to the Grand Trunk? Are they parties to it?

Mr. POPE. Of course they are hauling our cars.

Mr. JONES. When the Grand Trunk cars come to Halifax, why do you compel the merchants to take their goods from the Grand Trunk cars?

Mr. POPE. Because they are in our keeping.

Mr. JONES. But you are doing just the reverse of what the Grand Trunk people are doing in Montreal with your cars. I only say that to point out to the hon. gentleman that they have the remedy in their own hands, and the Government, I assume, dealing with a large corporation like the Grand Trunk, naturally should exercise sufficient control over them to insist that the cars were properly discharged. I know that has been a difficulty for years with the Intercolonial Railway, and I hope the hon. gentleman now will take the matter up and make a more vigorous effort than he appears to have done up to this time, to bring about a remedy.

Mr. POPE. I have made every effort that I could, both in Montreal and at Halifax. I can say that at Halifax, as well as at Montreal, the cars have been charged, but we have had very hard work in many cases to collect anything.

Sir CHARLES TUPPER. The answer to the statement made by the hon. member for Bothwell, I think, is that on the Intercolonial Railway the locomotives and trains are four or five times as heavy, and of course the consumption of coal per mile for haulage would necessarily be much larger than on the Prince Edward Island Railway, where small locomotives and small trains are used.

Mr. McMULLEN. The Minister of Finance dropped a remark that I would like to understand. In giving the number of cars that are now on the Intercolonial Railway, replying to a question whether those cars were in good running condition, the hon. gentleman said a number of them were pretty well worn out, and the Minister of Finance acquiesced in that statement.

Sir CHARLES TUPPER. No, I did not.

Mr. McMULLEN. I would like to know whether those cars which are worn out have been charged to working expenses—for we are charging all the time new stock to capital account.

Sir CHARLES TUPPER. The hon. gentleman misunderstood me. The hon. member for Halifax said he understood that many of those cars were in a very imperfect condition and much out of repair. I said: That is always the case, that you cannot have a great line of railway like the Intercolonial Railway without having always a large number of cars out of repair. But I did not say that they were not kept in good repair, and that the rolling stock was not kept in good repair; I said that necessarily you must always have a large amount of rolling stock that requires to be repaired.

Mr. McMULLEN. Could the Minister of Railways give us an idea about what proportion of the rolling stock is now out of repair, and not in condition to be used?

Mr. POPE. I can tell the hon. gentleman that there is a larger proportion now out of repair than I ever knew before at this time of the year. The proportion is larger in engines than in cars, and the reason is that the past winter was an exceptionally severe one, and we had to put on a heavy engine force to keep the road open, which strained the engines to the utmost. They were injured a great deal, and the most of them must be repaired. In many cases we had to put on five men to shovel snow out of this road, one above the other on the snow bank, and when there was such an enormous quantity of snow, we had to force the engines all they could stand, and there are many more than usual out of repair.

Mr. POPE.

Mr. WELDON (St. John). Are these repaired in the machine shop at Moncton? Have you not reduced the number of men working there considerably?

Mr. POPE. No.

Mr. WELDON (St. John). Were not a good many hands turned off last year?

Mr. POPE. It is often the case, that at certain times of the year we have a larger force than at other times. We have a larger force just now than we have had for a long time.

Mr. MILLS. Before the 22nd February?

Mr. McMULLEN. I wish to ask if, when these repairs are made, they are charged to working expenses?

Mr. POPE. Yes.

Mr. McMULLEN. We are now near the close of a working year of the Intercolonial Railway, which expires on the 30th of this month. Now, the Minister of Finance admits that there is a larger proportion of the rolling stock out of order at the present moment than there has been in previous years. What estimation does he make of the expense necessary to put that stock in good working order, to be charged to working expenses, for the current year? Has he made an estimate of what it will take?

Mr. POPE. No.

Sir CHARLES TUPPER. Surely the hon. gentleman does not suppose that anybody should attempt to keep the accounts of a railway in that way—to charge to one year what will be the estimated expense of another year. Why, Sir, Parliament would lose all means of ascertaining the financial condition of the road if the Minister was allowed, instead of making up the actual account, to make estimated accounts, and the House would have no means of getting any accurate information. It would be a most dangerous system to adopt. The system, of course, is to charge the actual outlay each year to the year in which it occurred. It cannot be done in any other way, and that is the mode in which public accounts require to be kept.

Mr. McMULLEN. I quite understand the Minister of Finance. I can easily see that from year to year a very large amount of rolling stock may be kept in quite an unworkable condition, and be left over simply because it is not desirable to swell the account for working expenses. It is left over from year to year, and may possibly accumulate to a large extent. Now, if the principle is followed out, which the Minister of Finance has stated, we may find in the course of a few years a very large number of the cars and rolling stock of the Intercolonial Railway in a very unworkable condition. You have got each year to charge to that year a certain percentage for working expenses in connection with wear and tear. I know it is done on other lines. I have had some experience in connection with railways, and I am satisfied that it is the custom to estimate the probable cost of working expenses and repairs during the year.

Sir CHARLES TUPPER. That is always estimated, but you do not put it in the accounts.

Mr. McMULLEN. In making up the accounts you have got to estimate what amount it is necessary to charge to working expenses, and to put the rolling stock into the same condition that it was when you commenced.

Sir RICHARD CARTWRIGHT. I saw a statement made the other day in some newspaper, as to which I certainly will not pledge myself, but as to which I should like to have some information from the Minister of Railways or the Minister of Finance. It was to the effect that on the occasion of the recent adjournment of the House, the Minister gave free passes to gentlemen who have dis-

Played a discriminating support of the Government, but not to other members of this House. Is that the case?

Mr. POPE. I heard the same thing myself. The fact is that I gave a free pass to all who came for it.

Sir CHARLES TUPPER. I stated on the floor of the House that every gentleman on that side who applied would receive exactly the same as members on this side.

Mr. JONES. Doubtless; but did the hon. gentleman expect the members of the House to go to the Government and ask for railway passes over the road?

Sir CHARLES TUPPER. Yes.

Mr. JONES. After they had their travelling fees, that would take them down and back eight or ten times? My travelling fees would take me down and back from four to ten times. I, for one, should have felt that I was putting myself in a false position if I had approached the Government to give me a railway pass under those circumstances. I think the system of railway passes is abused very much, and we heard a good deal about it in olden times. A few years ago under the Mackenzie Administration, Mr. Brydges had a car in which he travelled over the Intercolonial Railway, and the organs of the present Government never ceased attacking the Administration of that day for allowing Mr. Brydges the use of a car. I do not mean to say that they were right, but the present Administration have their cars going backwards and forwards for members of the Government, and friends of the Government, and officers connected with the road, and I do not find fault with it. Our course, however, with respect to that matter, has been in very marked contrast with that pursued by the organs of hon. gentlemen opposite when we were in power.

Sir CHARLES TUPPER. I do not agree with the hon. gentleman at all. I say the House found it convenient, at the request of a very large majority of the members, to adjourn the public business for a week, and that enabled hon. gentlemen who lived in Ontario and Quebec, the great proportion of members of this House, at very little inconvenience to themselves, to be able to visit their families; and it was under those circumstances, an effort was made on the part of the Minister of Railways to give the same advantage to hon. members, without regard to their political complexions, as was possessed by the greater portion of members of this House from Ontario and Quebec.

Some hon. MEMBERS. No.

Sir CHARLES TUPPER. I do not think the hon. gentleman will find any sympathy among the hon. gentlemen opposite in attacking the Government for giving what I feel was only just consideration to members for the Maritime Provinces, who were, so far as we could do it, placed in the same position as hon. gentlemen who live in the larger Provinces. But I may tell the hon. gentleman if he wishes to censure any person in regard to this matter, he had better deal with his hon. friend the member for Queen's, P. E. I. (Mr. Davies), who claimed on the floor of this House the same consideration for hon. gentlemen opposite as was given hon. members on this side of the House, and very rightly and properly so; and he claimed that every hon. gentleman should be treated alike. No other disposition was manifested in regard to this matter, and the most public means were taken for placing every hon. gentleman on exactly the same position in regard to this matter.

Mr. FREEMAN. It would be very interesting to myself and I am sure to many hon. members, if we could ascertain distinctly of what hon. gentlemen opposite are complaining. I listened to the question that was asked in the House the other day, respecting passes on the Intercolonial Railway, and the reply of the Minister was that all members would

be treated alike. I certainly thought that would be satisfactory. However, hon. gentlemen opposite, it appears, are not satisfied with it. The hon. member for Halifax (Mr. Jones), says he would not ask for a pass on the Intercolonial Railway, and it strikes me that he might feel it derogatory to his honor and ability to do so. No one could find fault with that; if he thought proper not to ask for a pass, let him pay for his ticket; but I do not see any reason in that why hon. members should not accept a pass if they could get one. All the members may not be so wealthy as the hon. gentleman, and if they chose to accept a pass, and if the Government were willing to grant it, fault should not be found with them. We would like to have in clearly distinct terms, as to what hon. gentlemen opposite are attacking the Government for, what the Government has done of which they complain, and let us hear it and in clear, plain common sense language? Let us have this instead of this beating about the bush, for I utterly fail to see what the Mackenzie Government has to do with passes given a few weeks ago. If the Mackenzie Government did not give passes, well and good; we have no fault to find with them on that account. If there is any fault to be found with the Government, let us hear it in clear and distinct terms, so that we can understand the complaint, for the subject of the Intercolonial Railway has occupied much of the time of this House, and I have not been able to see what the trouble is about. I have not heard that there was any attack made on the Government or that they had acted improperly in regard to this railway. It has been said that charges have been placed under improper accounts, and what should have been charged to running expenses has been charged to capital. I do not know that that is a very grave offence; but let hon. gentlemen opposite make out of it what they can. The Intercolonial Railway belongs to the people, and if it is run in the interest of the people, they do not suffer by it. The people of Nova Scotia have a large interest in that road, and if hon. members for the Upper Provinces feel dissatisfied and think we have too much advantage in allowances made on rates, I think any such complaint is a very unreasonable one. It would be well if we could understand distinctly what the trouble is in respect of the Intercolonial Railway.

Mr. JONES. In answer to the Minister of Finance I would just say this, that the complaint I made was, that when the Government made up their mind to give passes to members from the Maritime Provinces or elsewhere, they should have announced it or sent circulars or sent the passes to members. It was only when it was discovered subsequently, after many members had procured their tickets and after the question was raised in the House by the hon. member for Queen's, P. E. I. (Mr. Davies), that the Government then stated that all who applied for passes should have them. But I for one, when I made up my mind to go to Nova Scotia, never for one moment thought it would be becoming to go to the Government and ask them to give me a pass, and it was not until I had purchased my ticket I heard that other hon. gentlemen supporting the Government had had passes given to them. So I say, that if all the members are to be treated alike, passes should have been sent to them, so that they might all have been placed in the same position. That is the only ground I take.

Mr. WELDON (St. John). The course adopted by the Minister of Railways in 1881, when the House adjourned from Christmas to 11th January, was that passes were sent with the compliments of the Minister, to every member from the Lower Provinces.

Mr. POPE. When was that?

Mr. WELDON (St. John). In 1881 when we met in December and adjourned for a fortnight till 11th January. In

that case the passes were sent by the Minister of Railways to the different members from the Lower Provinces. There are many more special cars travelling over the Intercolonial now than then; but when Mr. Brydges was taken all through Nova Scotia in his car, it was said that he was going round like an eastern potentate, and this was made one of the great causes of complaint against the Mackenzie Government at that date.

Mr. MILLS (Bothwell). I think the Minister of Railways ought not to treat this matter as a mere matter of patronage belonging to the Administration or to his Department. If it is right and proper to issue passes along the Intercolonial, the fact ought to be known; and they ought to be issued to all members in that section of the Province without reference to their party proclivities. But that is not what the hon. gentleman did. Hon. gentlemen supporting the party sitting on this side of the House, and living along the line of the Intercolonial Railway, knew nothing of the intention of the Government to issue passes in that way. Now, I think that the hon. gentleman has not justified the course of the Administration at all, in stating that my hon. friend from Queen's, P. E. I. (Mr. Davies) was to blame, if anybody was to blame. That hon. gentleman complained here on account of the manner in which the hon. gentleman proceeded. The Government treated the railway as though it were the private property of the Administration, as though it were a portion of their special possessions, as if they had a right to deal with it as a matter of party patronage. If the Government choose to charge full fare or half fare, or if they choose to issue tickets to hon. gentlemen who desire to return home during the vacation, so long as it was known that these tickets were issued without application on the part of the members, then there would have been nothing to complain of, except the question of public policy. But, as it is, I think the hon. gentleman's course is highly censurable.

Mr. POPE. It was quite impossible that we should know who were going. Was I to send a messenger to everybody with a ticket? More than that, I may say to the hon. gentleman that I was of opinion that a half fare ticket was quite enough to grant to hon. gentlemen on both sides of the House, because the pressure came from both sides of the House for free passes. Upon consideration I said to Mr. Schreiber that he should give free passes to all members who would come to him, and I believe that everyone who came to him got free passes. I can understand that the hon. member for Halifax (Mr. Jones), with that extreme modesty which he displays on all occasions, would not take a pass, but they were not all like him; a great many of them would take passes and say: "Thank you, sir."

Mr. DAVIES (Queen's, P.E.I.) I understand that the hon. gentleman intimated that I was to blame.

Sir CHARLES TUPPER. No, no; the hon. gentleman is quite misinformed, for I said nothing of the kind. I said that if the hon. member for Halifax (Mr. Jones) had to blame any person, he had better settle the matter with his friends on that side of the House, who had claimed that it was quite right that passes should be given alike to both sides.

Mr. DAVIES (P.E.I.) I want to put myself right in the matter, not because I had any personal interest in it for I was not going home myself. But I understood from some of my friends on this side that they had to purchase tickets to go home and return during the recess, while some other members from the same Province, but of different politics, had passes presented to them by the Minister of Railways. I submitted that that was a gross injustice. I take the ground which has been taken by my hon. friend to the left (Mr. Mills) that the railway is no more the private property

Mr. WELDON (St. John).

of the Minister of Railways than it is mine; that he has no more right to give passes over it than I had, except to somebody travelling for railway purposes. I am opposed to the whole system of passes, but I thought that if some members living in a far off part of the Dominion were to get passes during the recess, then the same rule should apply to all. I say that if the rule was once laid down that they were to get passes, the Minister should either have informed them by a clerk or sent the passes with his compliments. It is not a very nice thing that a man should have to go down to the Department with his hat in his hand and ask as a favor what should have been his right, and I for one would rather have done without a pass than to have done that. I repeat that I only spoke on behalf of those on this side who told me they had not been treated like members on the other side.

Mr. McDOUGALL (Cape Breton). I am one of those who applied to the Minister of Railways and who got a pass. I may state that I met the senior member for Halifax (Mr. Jones), and in conversation with him he mentioned the fact that members supporting the Government had had special favors in getting passes which enabled them to go home. I told the hon. gentleman in reply that I believed that they had no more favors than would be extended to members on that side if they asked for them. I assured him that if he had asked the Minister of Railways he would have got a pass, just the same as members supporting the Government got them, and as I got mine. I may say that I did ask for mine and that I went to the Department.

Sir RICHARD CARTWRIGHT. I think that this discussion shows that it is not a desirable relation for members of this House to be put in by members of the Government, whom they are opposing and criticising, possibly every night, to have to go to the Minister of Railways and ask him for a matter, which he evidently considers, to some extent, as a matter of favor. I think it is not in accordance with the dignity of the House that that relation should be established. I think my hon. friends here are quite right in saying that if it be considered proper—and I am not going to stand on a small matter of that kind; I do not suppose the granting of a pass is going to influence any of my friends behind me—but I do not think either the Minister of Railways or the Minister of Finance will deny the proposition, that for members on this side to go and ask for such favors from the hon. gentleman is not a right relation to exist between members of this House and members of the Government, on either side, but especially members of the Opposition. I think the proper way would have been for the Minister to have sent a circular indiscriminately, and then hon. members could have taken the passes or not, as they liked.

Mr. POPE. I may say that I did not ask anyone to come to me to get a pass, nor did anyone come. It happened at the time that I was unwell, and they went to the chief engineer who gives these passes.

Mr. JONES. After you told him.

Mr. POPE. Yes, I did tell him to give passes to members who came; they did not have to come to me, and so far as my friends on this side are concerned, they were granted passes, because I did not suppose for a moment that they could be bought, and I don't think that hon. gentlemen opposite need be afraid of their friends in that respect. I do not believe they are to be bought by granting them a railway pass; I never believed it. But why are my hon. friends so modest about these passes? Have they not the same right to come to me, as they have about thousands of other things—because they want something? What is there about this matter of granting a pass which makes it differ so much from other things that they ask me about?

As I said before, it was very late before I thought it was necessary to issue free passes; I thought half-fares would be sufficient, and consequently I had no time then to do more than was done by the Minister of Finance—that is, to announce to the House that anybody could have these passes by asking for them.

Mr. DAVIES (P.E.I.) There is a very broad distinction between the cases which the hon. gentleman puts. When a member of Parliament asks him, at his Department, about a public matter, or asks him in the House, he is only doing part of his duty as a member, but the hon. gentleman knows that, unless members on this side were informed, by circular, that it was the intention to grant passes, none of them would choose to go down to his Department to ask for them. He seems to think, also, that while it would be undignified to ask him, it would be dignified to ask his clerk.

Mr. McDOUGALL (Cape Breton). I may say that I was informed, on the way home, by some friends of the Government, that the hon. member for Lunenburg (Mr. Eisenhauer), who is not a supporter of the Government, had a pass.

Servis' tie plates \$12,500

Sir RICHARD CARTWRIGHT. What are these Servis' tie plates.

Sir CHARLES TUPPER. They are patent arrangements intended to promote the life of the sleeper. This patent having been tried for a considerable time, under the observation of the engineering department at Moncton, it was decided to try it on a larger scale for the purpose of ascertaining its value more fully.

Mr. JONES. Where are they manufactured?

Sir CHARLES TUPPER. At New Glasgow.

Sir RICHARD CARTWRIGHT. What is the difference between the cost of these plates and those in ordinary use?

Sir CHARLES TUPPER. There are none in ordinary use. This is a patented invention to be put between the sleeper and the rail.

Sir RICHARD CARTWRIGHT. There was a tie plate in use before?

Sir CHARLES TUPPER. No, that is a chair.

Mr. JONES. Is it an American or an English patent?

Sir CHARLES TUPPER. An American patent.

Cape Breton Railway..... \$300,000

Mr. GUAY. I am surprised to see that the Government has not thought proper to place an amount in the estimates this year for settling the land claims and damages resulting from the construction of the St. Charles Railway Branch. I am informed that there are a great many of the land claims and damages which are not yet settled, although that branch has been built for several years, and many interested parties have been making great exertions to have their claims and damages settled. During the last electoral campaign sweeter promises than usual were made that all these claims would be settled before the end of the election; but from letters that I have received since, and from what I saw during the election, I come to the conclusion that if any of those claims were settled, they were those of the political friends of my opponent. I hope the hon. Minister of Railways will take the matter into his serious consideration, and give equal justice to all interested parties.

Mr. LANGELIER (Montmorency). I wish to make a few remarks in corroboration of the statement made by my hon. friend the member for Lévis. I have been charged, as a lawyer, with a number of the claims of certain farmers living near St. Joseph of Lévis, whose lands were expropriated by the Government four or five years ago, and who have not yet been paid one cent for them. I have repeatedly sought to get their cases investigated, but I never could succeed. Yet, at the same time that I was refused, I saw that some claims which were put in after those of my clients were investigated. I found that when those people had engaged Tory lawyers to defend their cases, their cases were immediately taken up. One of my clients found out that it was because I was a Liberal lawyer that I could not get the arbitrators at Quebec to take up his case, and he got so much disgusted that he retained another lawyer, Mr. Isidore Belleau, and his case was immediately settled. There are a good many farmers in St. Joseph of Lévis who have been deprived of their lands for five years, and who have not yet been paid for them. I hope that the Government will see that their claims be settled before long.

Sir CHARLES TUPPER. I may mention that the greater number of these claims have been paid; but a number of persons refused to accept the amount offered to them, and it was necessary to refer their cases to the official arbitrators, but I am quite sure the hon. gentleman is mistaken in supposing that the official arbitrators of the Government would be in the slightest degree influenced by the political proclivities of any advocate who might be engaged. I am sure the hon. gentleman does not accuse the Government of anything of that kind. I am sure no Government would be influenced by any consideration of that kind, and I cannot believe an official arbitrator would be.

Mr. GUAY. I am informed that there were over \$1,000,000 of land claims settled during the electoral campaign, and the other day I saw that the Government had to issue special warrants for about \$1,000,000 to settle a large number of these claims.

Sir CHARLES TUPPER. The hon. gentleman is aware that that was explained on the floor of the House. The amount was awarded by the judgment of the court.

Mr. GUAY. There were a few land claims settled, but it is extraordinary that they were only those of my political opponents.

Mr. MILLS (Bothwell). I think the charge these hon. gentlemen make is of such a character that it should be officially investigated. It seems to me so highly improper, that this House would be altogether wanting in its duty if it permitted the Session to close without making some enquiry in the matter. It would be an extraordinary condition of things if at this time of day we found that an hon. gentleman could not proceed with the settlement of a case because the Government arbitrator would not entertain a proposition on account of his political opinions. I say that would be a condition of things that would be utterly intolerable.

Sir CHARLES TUPPER. I quite agree with the hon. gentleman.

Mr. MILLS (Bothwell). How would it be if a case were carried into a court and the professional man who had it in charge would not be heard by the judge? The hon. gentleman's statement that the arbitrator, acting on behalf of the Government, with the view of settling these claims, many of which are four or five years' standing, could not get a hearing because he had employed my hon. friend as his counsel. I say that is a matter that requires the immediate attention of the Government, and if any arbitrator or official of the Government has acted in that way, the

Government owe it to themselves to immediately dismiss him from his present position.

Sir CHARLES TUPPER. I quite agree with the hon. gentleman.

Mr. LANGELIER (Quebec). The settlement of these land claims has been a regular scandal. I mention one case that has come under my notice. A gentleman who was unfortunate enough to be against the Government, had a claim which was such a clear case that there could be no doubt about it. He obtained judgment, but the case was taken to the Supreme Court, where the judges were unanimous in deciding that the Government had not a leg to stand on. Why was the case taken to the Supreme Court? Because the hon. member for Quebec West (Mr. McGreevy), insisted that the case should be taken to the Supreme Court in order to ruin that man, and to prevent him getting the \$12,000 to which he was entitled. This is only one case out of a great many, showing how the St. Charles Branch land claims have been treated. Whether rightly or wrongly, the general impression in Quebec is that it is perfectly impossible for any man to get justice unless he applies to Tory lawyers. I have seen some of my own clients—my clients for a great many years—who have been advised to go to a Tory lawyer with their claim. These lawyers have made a great deal of money with these Intercolonial Railway claims, because the general impression was, whether rightly or wrongly, I do not say there was any justification for it, that those who had land claims should go to a Tory lawyer in order to obtain justice from the Government.

Mr. THOMPSON. I am glad to hear the hon. gentleman say that the case he has cited, that of Mr. Murphy, is an example of all the cases. Of the statements in connection with that case not one half have any foundation. Mr. Murphy's claim was appealed to the Supreme Court of Canada on my advice. I believed, and still believe, that there was good ground for making that appeal. The appeal was not entered at the instance of the hon. member for Quebec West (Mr. McGreevy); he was never consulted about it; he never spoke to us about it; he never used the slightest influence to induce us to make it. The hon. gentleman says that the judges of the Supreme Court were unanimous in saying that our case had not a leg to stand on. They said nothing of the kind. Under the same circumstances, I would advise an appeal again, for Mr. Murphy obtained more than he was entitled to.

Mr. LANGELIER (Quebec). Mr. Murphy obtained before the arbitrators a certain award. The Exchequer Court confirmed that award, then the Government appealed to the Supreme Court, and the Supreme Court unanimously affirmed there was not one leg for the Government case to stand on.

Mr. THOMPSON. That is not so.

Mr. LANGELIER (Quebec). The result was the same. There was not one judge who was not of opinion that the original judgment should have been held good.

Mr. THOMPSON. That at times happens, and it is no proof at all of the impropriety of the appeal. I regret to say, in many cases, it is not sufficient proof to satisfy anybody acquainted with the facts that the plaintiff ought to succeed.

Sir RICHARD CARTWRIGHT. That is rather a reflection on the Supreme Court.

Mr. THOMPSON. I am quite prepared to take the responsibility, and stand by all that I have said on the subject.

Mr. MILLS (Bothwell).

Sault Ste. Marie Canal.....\$1,000,000

Mr. DAWSON. I would like to give a little information in regard to this canal, and to draw attention to the great importance of this national work which is now to be undertaken. I think it might be of some interest to the House to go back a little to the time at which it was first proposed to build a canal at Sault Ste. Marie, and contrast the condition of affairs at that time with their condition now. As early as 1852, the Government made a survey of the canal at Sault Ste. Marie, and I have here the report of the engineer containing the statement of the traffic of those days, and his estimate of the probable cost of a then proposed canal. This engineer, in setting out the position of matters at that day, gave this statement:

"I have not been able to obtain the return of trade except for the year 1851, which is as follows:—

<i>Upwards.</i>	
Iron, steel and castings, including three steam engines, 370,000 lbs.....	185 Tons
Number of cattle and horses, 370 lbs.....	123 do
Hay.....	322 do
Bricks, 76M.....	171 do
Lumber, 418M.....	700 do
Shingles, 183M.....	18 do
Merchandise, provisions, &c., 52,847 brls. bulk.	2,641 do
Total.....	4,160 do
<i>Downwards.</i>	
Copper (native).....	1586 Tons
Iron "blooms".....	383 do
Fish, 3,590 barrels.....	513 do 2,482 do
Tons both ways.....	<u>6,642</u>

At the same time he says:

"The fleet on Lake Superior consists of one steamboat, three propellers and five schooners, with an aggregate tonnage of 1,500 tons."

That was in the year 1852. He expresses himself in this way in respect to the location of the canal:

"The canal has been laid out upon a straight line, the shortest that can be drawn between the navigable portions of the bays above and below the island, thus passing nearly through the middle of the large island on the Canada side. Its length through the island is 50 chains, but from end to end of piers it is 95 chains. It was found necessary to produce the piers at the upper entrance, right across the first bay, and the point of shoal above it in order to avoid the awkwardness of an abrupt turn had the pier ended in the first bay, as well as to obviate the exposure of vessels making that entrance to the influence of the current at the head of the rapids. The upper terminus is now in a deep bay, and in still water where the American vessels wintering above the shoal usually lie up."

This is very important information, because it shows that the proper place for the canal was on the Canadian side, and that at a place above the rapids on the Canadian side, American vessels used to come and lie up for the winter. This shows the superiority of the Canadian side—a basin above and a basin below, and the whole length of the canal about a mile. The estimate of the cost that the engineer made of a canal which should have a depth of 10 feet and width of 140, was \$500,000 or thereabouts, but that was a canal which would not be at all adapted to the wants of the present day. Having shown what the traffic was at that time, perhaps I may be allowed to show what it is now; and I have a statement here which, I think, under present circumstances, will be found to be exceedingly interesting. In 1852, when the statement I have just read was made, there was no canal on the American side of Sault Ste. Marie. It was in contemplation to build one, but no step had been taken towards its construction at that time. I have stated the tonnage up and down, both ways, over a little portage railway on the American side at 6,000 tons and the shipping on Lake Superior at 1,500 tons. I ask the attention of the House, in contrast to that, to this statement of the traffic last year at Sault Ste. Marie:

COMPARATIVE STATEMENT of the amount and value of the commerce through Saint Mary's Falls Canal, Michigan, for the calendar years 1885 and 1886

Items.	Quantity.		Increase.		Decrease.		Price per Unit.	Total Valuation.	
	1885.	1886.	Amount.	Per cent.	Amount.	Per cent.		1885.	1886.
							\$ cts.	\$ cts.	\$ cts.
Vessels..... Number.	5,380	7,424	2,044	38					
Lockages..... do	2,863	3,593	730	25					
Tonnage..... Registered.	3,035,937	4,219,397	1,183,460	39					
do..... Freight.	3,256,628	4,527,759	1,271,131	39					
Passengers..... Number.	36,147	27,088			9,059	25			
Coal..... Net Tons.	894,991	1,009,999	115,000	13			3 50	3,132,468 50	3,534,996 50
Flour..... Barrels.	1,440,093	1,759,365	319,274	22			5 00	7,200,465 00	8,796,825 00
Grain..... Bushels.	15,697,194	19,706,858	4,009,664	26			0 96	15,383,250 12	19,312,720 84
Manuf'd Iron..... Net Tons.							50 00	2,576,750 00	5,366,950 00
Pig Iron..... do	60,842	115,208	54,366	89			17 00	158,219 00	193,773 00
Salt..... Barrels.	156,355	158,677	2,322	16			1 00	156,355 00	158,677 00
Copper..... Net Tons.	31,927	38,627	6,700	21			200 00	6,385,400 00	7,725,400 00
Iron Ore..... do	1,235,122	2,087,809	852,687	69			3 50	4,322,927 00	7,307,381 50
Lumber..... Ft., B. M.	127,984,000	135,688,000	10,704,000	8			18 00	2,303,712 00	2,496,384 00
Silver Ore..... Net Tons.	3,689	2,009			1,680	45	153 79	564,255 51	308,964 11
Building Stone..... do	8,169	9,449	1,260	15			10 00	81,890 00	94,490 00
Unclass'd freight..... do	184,963	230,726	45,763	25			60 00	11,097,780 00	13,843,560 00
Total.....								53,413,472 13	69,080,071 95

Canal was open to navigation 211 days in 1885, and 224 days in 1886.

To give some idea of what this immense traffic is, I may state what the traffic of three continents, Europe, Asia and Africa, passing through the Suez Canal has been. In 1881 the tonnage in the Suez Canal was 5,794,401 tons, while that in the Sault Ste. Marie Canal last year was 4,527,000 tons, as I have just stated. In other words, the traffic between these two great inland seas is already up to somewhat more than half the traffic of the Suez Canal, which in 1885 was 8,985,411 tons. I think these facts are somewhat interesting in view of our being about to undertake the building of a canal, but there are some other things which I think are equally interesting. The Americans have already two canals on their side and are now proposing to build a third as will be seen by what a local paper says:

"Colonel O. M. Poe, of the United States engineer corps, has urged upon Congress, at various times, during the past few years, the necessity of hastening the improvements in the St. Mary's Falls Canal. In one of his last arguments before the Commerce Committee, he stated that at the present rate of increase in lake shipping it would be necessary to commence the construction of a third canal at Sault Ste. Marie long before the new one now under construction could be completed, in order to keep pace with the increase and meet the demands of lake shipping.

Now, they are not only building a new canal on the American side, but are cutting a canal three miles long behind the ship canals in order to avail themselves of the water power. There is a company formed to open a canal or aqueduct three miles long in order to avail themselves of that power. I think the views which are expressed in regard to that will be interesting in another point of view, because the water power there is likely very soon to be availed of by the Americans, who are now carrying on the manufacture of flour at Minneapolis to a very large extent; and the people who are coming there are capitalists from the vicinity of Minneapolis. They are coming to Sault Ste. Marie—and are prepared to build this water power canal on the American side, which is a work entirely apart from the other canal, with locks which is about to be built. Here is their view:—

"When the Canadian Pacific was completed a few months ago it not only opened an immense and fruitful country for occupation, but it also made a government highway for English commerce from the Atlantic to the Pacific Ocean. The road has been built in a thorough manner, and the projectors, sure of good returns in the not distant future, have prepared a perfect channel of commerce. This road has a branch to the Sault, and there is to receive the outpourings of the vast American wheat fields of the north, which will be landed there by the Detroit, Mackinac

and Marquette and the Minneapolis and Sault Ste. Marie roads, and such other roads as may be built.

"It is not the purpose of Sault Ste. Marie to let this grain pass across her borders, either in the original form or even as flour from the Minneapolis mills. On the contrary, she herself proposes to convert it into flour. Let us see what advantages she has to set up against that great milling centre, Minneapolis. In the first place, the Minneapolis mills, although their water power is of the finest when the river is full, is liable to be without water for months at a time. All the large mills have to resort to steam power during part of the year, and consequently do business at an increased cost. More than that, the rapid destruction of timber at the headwaters of the Mississippi is constantly making the flow of the river more uncertain. So much for the disadvantages of the Minnesota rival.

"Sault Ste. Marie, on the other hand, has in Lake Superior a body of water as large as New England except Maine; and the water level does not vary more than one foot during the year. The falls of Saint Mary give all the head needed and to utilise this water power all that remains is to build a canal around the rapids."

And that canal they are now engaged in building. The same might be said with equal truth of the Canadian side of the falls. As I have pointed out, the traffic now amounts to seventy millions of dollars a year—that is, the value of the articles passing through the United States canal—and I believe that, if this canal is carried out on our side, it will be the means of building up a city in a very short time at Sault Ste. Marie, and of drawing traffic to our great Canadian Pacific Railway. I may say, moreover, that it is a necessity in other respects. It will be remembered that, on a former occasion, the Sault Ste. Marie Canal was shut against us; that, during the military expedition of 1870, when it was necessary to send troops to the North-West, when we got to Sault Ste. Marie it was found that the Americans had shut their canal in order to cut off all intercourse between this section of the country and Lake Superior. However, the Government made a portage road by which they reached the lake, and engaged steamers on Lake Superior and on Lake Huron. Then, when the Americans found that there was another means of our getting through without using the canal, they politely informed us that the canal was perfectly open to us, but that was not until they saw we could get on without it. I thought that, as this matter was up, and as this canal is altogether within the district which I have the honor to represent, I would draw the attention of the House to these facts.

Mr. WHITE (Renfrew). I do not rise for the purpose of offering any objection to this vote. I quite agree with the hon. gentleman who has taken his seat as to the importance

of this canal. I believe it is a work that is necessary in the interest of the navigation of our inland waters. But I would like to draw the attention of my hon. friend the Minister of Railways, to what I consider a work of equal importance, one which I think it is necessary the Government should construct if they wish to derive all the advantages which are to be obtained by the construction of this work itself—I refer to the improved navigation of the Ottawa and French Rivers. I drew the attention of the House to this matter in 1885, by submitting a resolution declaring the advisability of entering on that work at an early date. The matter was fully discussed on that occasion, and I do not now propose to enter into its merits. You will remember also that during last Session I brought this matter before the House, and upon that occasion the Minister of Railways stated:

"With respect to my hon. friend from Renfrew (Mr. White) I am sure he will wait."

That is in reference to the construction of the Ottawa Canal.

"I will be very glad to listen to him, to see everything he can show us, and to do everything we can do. But I will ask him to have patience. I will ask him to wait a little, until we have made some progress in these great works which we have on hand, although we have completed that work for which we have expended so much money."

Referring, I presume, to the Canadian Pacific Railway.

"I am sure that he will not be disappointed in the interest which we shall take in his work, as well as those that have gone before."

Well, Mr. Chairman, I would like my hon. friend the Minister of Railways to give some practical illustration of his interest in the work to which I refer. I had hoped that in the Estimates which are submitted a vote would have been asked for the purpose of doing something towards the construction of that great work. I still venture to express the hope—if the Minister of Railways is in the House I hope he will state his views in regard to the matter—I still venture to express the hope that a vote will be placed in the Supplementary Estimates which will give practical effect to the promises the Minister of Railways made during last Session.

Sir RICHARD CARTWRIGHT. What is the estimated cost of this?

Sir CHARLES TUPPER. There has not been a close estimate made recently. But I expect this amount is larger than will be required to complete the work.

Sir RICHARD CARTWRIGHT. Is it to be of the same dimension as the American canal?

Sir CHARLES TUPPER. Yes.

Lachine Canal.....\$98,000

Sir RICHARD CARTWRIGHT. Would the hon. member state in what position this work is?

Sir CHARLES TUPPER. This sum of \$98,000 will complete the works that have been commenced, including the deepening of St. Gabriel Basin, \$58,000; stone side wall, section 6, \$7,000; race and weir at Lachine, \$13,000; together with other items, making the total amount.

Cornwall Canal.....\$73,000

Sir CHARLES TUPPER. This is required to complete. The amount available for 1886-87 is \$70,000.

Sir RICHARD CARTWRIGHT. Does that complete what you propose to spend on it?

Sir CHARLES TUPPER. That completes all in relation to which expenditure is at present undertaken; but to carry out the whole scheme a large addition will be required.

Mr. WHITE (Renfrew).

Williamsburg Canal—For the construction of an entrance and locks at head of Rapide Plat Canal.....\$60,000

Sir CHARLES TUPPER. This amount, with \$100,000 for the improvement of the Galops Canal, includes the two votes under the heads of the Williamsburg Canal. The amount of \$100,000 is towards the construction of locks.

St. Lawrence River and Canal.....\$40,000.

Sir CHARLES TUPPER. This is required to improve the canal through the Galops Rapids by certain works of submarine blasting and dredging. These works were commenced in 1880, and consist of an excavation in the channel of the rapids of such depth as to afford a passage at low water to vessels of 14 feet draught. An additional sum of \$30,000 is required to complete.

Towards completing the present works at the Murray Canal.....\$116,000

Mr. MALLORY. I noticed the member for Prince Edward county (Mr. Platt) asked a few days ago when the contract had expired for the construction of the Murray Canal, and the Minister of Railways and Canals replied that the date was arranged for in the original contract of 1st July 1885, and that no written extension of time had been given to the contractors for the completion of that work. I would like to enquire whether any verbal arrangement has been entered into with the contractors as to the time at which this canal should be completed?

Sir CHARLES TUPPER. If the hon. gentleman will allow me, I will make a note of that, as the Minister of Railways is not very well and could not be here. I will give the hon. gentleman the information.

Mr. MALLORY. I would like to know, also, if there is any forfeit in case of a failure on the part of the contractors.

Sir CHARLES TUPPER. You wish to know whether there is a provision for an extension of time?

Mr. MALLORY. Yes, whether there is an agreement, whether written or verbal, as to the extension of time. The date of the completion of the contract had expired on 1st July, 1885, and, as it appears, the contractors have been going on with the work from that time until this, at the mercy, as I may express it, of the Government of the day. I understand, from the most reliable authority, that some members of the Government, and some of their influential supporters, have seen fit to negotiate with these parties; and we remember the statement made by the Minister of Finance a few evenings ago, that it was quite legitimate for those who were in the employ of the Government—he did not state that exactly—to become active electioneering agents for the Government during any political contest that might be taking place in their locality or anywhere else, I know as a matter of fact—

Sir CHARLES TUPPER. The hon. gentleman must allow me to correct him. I made no reference to anything of the kind. We were speaking of civil servants of the Crown exclusively. I said nothing about contractors or persons who have contracts with the Government.

Mr. MALLORY. I corrected myself. I did not mention contractors but those in the employ of the Government; and if the principle is true and just in the one case, surely it cannot be unjust in the other. If it is just for Civil Service employés—

Sir CHARLES TUPPER. That is another thing altogether.

Mr. MALLORY—to become active election agents—I say if the principle is a correct one, the legitimate conclusion to be drawn is that a contractor or any other employé, other than civil servants, should be allowed to do the same thing, and they are allowed to do the same thing. As a matter of fact pressure has been brought to bear on those contractors to make them active election agents in the interests of the party in power. Two, three, or four Ministers of the Crown went into the ridings, particularly into the riding where those men have a contract, and by some mysterious influences, I know not what, those gentlemen were induced to take the stump and do all they possibly could for the party in power. Not only that, but they expended a large sum of money—where it came from I am not prepared to state. Not only that, but some employés of the Government, not of the contractors, the assistant engineer and others in the employ of the Government, used the positions they occupied under the Government in order to assist them very materially. I may state, that not only did the contractors for this canal spend days and weeks in active work against the candidates of the Liberal party and favored the candidates of the Government, but employés of the Government did the same work. I have this to say to the House: That days and weeks before the 22nd February, employés of the Government employed dozens of men, from thirty to forty, and, I am informed, as high as fifty, for no other purpose than to cut holes in the ice, to give them remunerative employment in order to induce them to vote for the Government candidate. I am informed by the men themselves that they received from \$1.30 to \$1.00 per day, for simply cutting holes in the ice, ostensibly for the purpose of taking soundings; but so many were employed that soundings could not be taken until many of the holes had frozen over, and they had to be cut open again. For days and weeks men were so employed on the Murray Canal and in the harbor of Brighton, and for several days previous to the 22nd February from twenty to thirty men were ostensibly searching for the sunken pier at Presqu'île, whereas any school boy in Brighton could have told them where the pier was. But these men were drawing \$1.30 a day for the work. It is in line with that conduct of the employés and contractors of the Government on these particular works that these men were employed for days and weeks before the 22nd in the way I have mentioned, and I am informed many of them did not receive a single day's employment after the 22nd February. These matters have come under my own notice; what I speak is from personal knowledge; I know these transactions to have occurred. As I have stated before, if the principle is a sound one, as laid down by the Minister of Finance, that Civil Service employés are allowed and are expected to be active agents in support of the Government during political contests, we should know it. If it is true that civil servants are allowed to do this, contractors also should be allowed to act as they have done in this particular case. The particular complaint I make is that these men, owing their financial existence to the Government of the day, have been induced to take the action they have taken, while they know and while the Government know that they are, and if they are not they ought to be, responsible to this country and the Government for the forfeit which ought to be contained in the contract. They are going on at the sufferance of the Government. The time for the completion of the contract expired about two years ago, still the contract is not completed, and these men go on and try to repay the Government of the day, and the party in power, for the kindness extended to them, by exercising every influence in their power in support of the Government during an election contest. The hon. member for East Hastings (Mr. Burdett) if he were in his place, could give some of the experiences he had to pass through during his election. In the same

way could the hon. member for Prince Edward (Mr. Platt) speak, because the action of those gentlemen was not confined to the constituency I represent; and I could give many particular instances which have come under my own observations of the conduct of those men; but it is just as well that I should keep them for the proper tribunal before which I propose to bring many of these charges. But I have brought this matter forward, so that this House and the country may understand whether conduct of this kind is justified by the Government of the day, and may judge as to the righteousness of actions of this kind.

Sir RICHARD CARTWRIGHT. I think such a statement as that made by my hon. friend really requires explanation. Here we have an hon. member stating very distinctly that a gross waste of public money has taken place under circumstances which certainly warrant the suspicion that the election for Northumberland county had a good deal to do with it. The charges of the hon. gentleman indicate such a state of affairs as to involve a very great waste of the public money, not to speak of the corrupt influences employed to secure the election of a member to this House; and on both these scores some explanation is due to the committee. I presume in this case, as in most others, there is a heavy forfeit for every day the work is delayed after the original time for completion. That clause is usually inserted in public works contracts, and it is quite clear that under such circumstances the parties who are contractors for the Murray canal are absolutely in the hands of the Government; and if they have been large subscribers to election funds, we know well enough their little peccadilloes are not likely to be closely looked after. It is a very peculiar state of things and requires some explanation by the Minister.

Sir CHARLES TUPPER. The observations which the hon. member for East Northumberland (Mr. Mallory) made before he sat down were pertinent to the occasion, and they were that he would reserve his remarks and statements on this subject to the tribunal before which those matters would be reviewed; and I think if that be the case, if this matter is to be dealt with and if these charges of corrupt practices are to be dealt with, the hon. gentleman is quite right in reserving them for a tribunal where the facts will all be weighed and examined, and where he will have an opportunity of hearing what both sides have to say. I can only say that I think I have never heard it laid down in this House by anybody, that any contractor in this country is not perfectly free to exercise his right to influence an election, wherever he might happen to be. I believe it is nothing new on the part of contractors, either when hon. gentlemen were in power or under any present Government, to take a part in elections, sometimes on one side and sometimes on the other. I am informed by an hon. gentleman behind me that this contractor, whose conduct is now being reviewed, and who is charged with being open to corrupt influences on the part of the Government under whom he holds the contract, took a most energetic and active part in support of one of Mr. Mowat's candidates in the Local election in the county of Welland. If that be the case, as I believe it to be—I was not in the country, but I am told it is so by my hon. friends on this side, who took some interest in that election—it would show that that gentleman is not altogether deprived of the free exercise of his judgment, in matters of politics, as we would be led to assume. With regard to what has been said as to the time of the contract having expired, there is nothing new in that. Hon. gentlemen opposite had experience themselves when they were in power of how contractors drag their slow length along in contracts with the Government; when they were in power they found that it was not always in the public interest either to enforce the penalty against the contractors, or take the work out of their hands, because it is well known that, where you have the power to

terminate the contract and make a new contract, the result is almost invariably to very largely increase the cost to the country. There are many cases in which, by the exercise of a little forbearance, you may get the work done at the contract price, when if you took it out of the contractor's hands and put it up at competition, the very failure of the contractor tends to increase the cost very much under a subsequent contract. I do not know anything about the facts, as to how far this contractor exercised his right to take an active part in the election. Of course, he had no right to do any corrupt act, and if he did anything of that kind the hon. gentleman will have an opportunity of establishing that before a tribunal, where there will be an opportunity of hearing both sides. I hope, however, that we are not going to enter into the whole question, with which I think it would be very unprofitable to take up the time of the House at present.

Sir RICHARD CARTWRIGHT. But it is not an unprofitable one with reference to the question of granting the Government \$116,000 to finish the Murray Canal—it is strictly germane to that question—to point out that a good deal of money appears to have been wasted under the circumstances to which my hon. friend alluded, and we have in that view, I think, considerable ground for investigating it. As to the other point which the hon. gentleman mentioned, I would remind him that this question of contractors subscribing to election funds has been before—not this House, perhaps, because this is a new House—but it has been before preceding Houses several times, and the House passed the second reading of a Bill for preventing such subscriptions being made. I may remind the hon. gentleman that that question was referred to a special committee, presided over by a colleague of his own, Mr. McDonald, a former Minister of Justice, and now Chief Justice of Nova Scotia, and that Mr. McDonald and this committee reported strongly in favor of a Bill which was introduced into the House, to prevent contractors intermeddling with elections in that way. The Government, for reasons of their own, in various ways prevented that Bill from becoming law, but the principle was over and over again affirmed by former Parliaments, and my impression is that it would be a most wholesome principle. But I call the hon. gentleman's attention to the fact that my hon. friend's remarks point to a considerable waste of public money in connection with this canal, and that is undoubtedly a question which we should investigate.

Mr. MALLORY. With regard to these contractors taking an active part in the local contest in Welland, if they did so they must have done so for a very limited time, because I know, as a matter of fact, that they were not out of our county, except in the neighboring constituencies, unless it may have been for a day or two during the local contest, and all their ammunition was brought to bear in the local contests in these particular local constituencies. That I know as a matter of fact, because I had occasion to come in contact with them from time to time during the local election, as well as in the Dominion contest. But the charge I make is not one which I can take into the courts of law. I will, so far as I can, go into the matter in the courts, but I cannot arraign the Government and show up their conduct as regards these works, in a court of law; in any action I may take in that way, I must, of necessity, proceed against private individuals. But I not only state that the contractors on this canal, the servants of the Government working under their employ, have themselves acted in a spirit which I believe is contrary to law, in connection with these works, but they have employed men and expended public money uselessly, and, as I believe, and as the people in these constituencies believe, they did so in order that they might influence the electors in those particular constituencies. The assistant engineer was one who did this kind of thing. It was

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he who employed the laborers I spoke of, and it was under his supervision that some of these acts were done. I have been informed, on the most reliable authority, that those men who would not pledge themselves to support the Government candidate were refused employment. Some of the men have informed me themselves that the assistant engineer absolutely refused to employ them, and stated that his own position depended on his not employing Liberals on this work. The point I make against the Government is this: that these people owed their financial existence, for the time being, to the beck of the Government; that the time for the completion of this contract had expired, and that the Minister of Railways and Canals stated the other evening, in answer to my hon. friend, that the contract had expired and that no written renewal had been made. He was not asked if a written renewal had been made but if any renewal had been given, and he stated that no written renewal had been given. So that if there is any forfeit in connection with the contract, it depends upon the will of the Government whether that forfeit should be exacted from them or not. I say that the fact of whether their contract shall go on or not, whether they shall complete the contract and receive their pay, depends altogether upon the Government of the day, and therefore, as they told me themselves, it is in their interest to make a good showing for the Government of the day. Moreover, they told me and my friends, as well as their own friends, that when the Ministers of the Crown were in the constituencies at other times, they promised—and they left the impression on us that the promise was demanded of them—that they would see to it that four supporters of the hon. gentlemen would be returned from those four constituencies, and that it would be a disgrace to them, being under a compliment to the Government of the day, if they did not do everything in their power, and even expend their money, to see that supporters of the Government were returned to the House. These are the charges I preferred, and I think we are entitled to some answer to them.

Mr. BOWELL. I had not the pleasure of listening to the hon. gentleman when he commenced his remarks, and consequently I am not in a position to know what he has said. But if what he has just said is a repetition of what he said before I entered the House, it just amounts to this: that somebody told him that somebody said something, and that somebody told him they intended to do so and so. That is about the whole sum and substance of the remarks made by the hon. gentleman. He said that the Ministers of the Crown who had been in that constituency, had induced their contractors and their servants, when the contest was going on, to make certain promises and do certain acts to affect the result. I was in that riding; I live in that neighborhood, and had as good a right to take part in that contest as my hon. friend, for I have lived there as long as he has. I know that no inducements were held out to Mr. Silcox, nor were any instructions given to any of his employes in that section of the country as how they should vote. Neither have I any knowledge of holes having been cut in the ice; and, if the hon. gentleman did not say so on his own responsibility, I will be loath to believe that the contractor, whom I know, and who is a tolerably shrewd Irishman, would make the confessions which the hon. member for Northumberland says he made. And I very much doubt that Mr. Rosmond, the engineer, ever told him or anybody else that his position would depend on the action he should take in the election. These people may have said that they would return four members for the Bay of Quinté counties. I would not be surprised at that, for many people said the same thing to me during the contest. Such things are always said when we are going into political fights. But I am not aware that that is any evidence of corruption. I wonder if my hon. friend

has not been told by his friends what they would do, and be sure to accomplish; and yet they were mistaken when the votes were counted. I am not aware that Mr. Silcox took any action other than what any elector would be entitled to take. I am not aware that he received any instructions from any members of the Government, and I positively deny that he received any from me directly or indirectly. As to the charges the hon. gentleman made, I have no doubt the hon. Minister of Finance and the hon. Minister of Railways will ask for explanations as to whether the money was squandered in the manner in which the hon. gentleman says it was squandered. If the holes were cut in the ice, they may have been cut at the expense of the contractor in the furtherance of his work, or in preparing for the work in the spring. Whether that work was charged to the Government outside of the contract I am not able to say. The Minister of Railways and Canals would, no doubt, be able to answer that question if he were here; but the undue influence to which the hon. gentleman has referred as having been exercised on the part of the Government, I not only have no knowledge of, but I say most distinctly that no inducements were held out to any person, contractor, or anybody else. I regret, in the interests of the county where I lived for many years, and where my hon. friend lives, that the contract has not been completed long before. There are many reasons for that. I think the Minister of Finance gave a good reason why the contract should not be taken out of the hands of the present contractor. He has been going on slowly, not as fast as he ought, probably, from year to year. Yet the work has been well done, and the contractor, I know, as does everybody, to be a pushing and energetic man in anything into which he enters. That work will be completed shortly, and I believe it will be done well. I believe the hon. gentleman knows as well as I do that the work is of much greater magnitude than was expected when the contract was given out; and that it is costing more money. But the desire of the Government is to make it a substantial highway for the commerce of that part of the country, and not a mere ditch. If that is accomplished, and it takes a year or two more to accomplish it, it will be in the interest of the country rather than to have the work done in a slipshod manner and at a more rapid rate. I am sure that when the hon. gentleman gets into that court to which he refers, he will then have an opportunity of showing whether the Government has been guilty of corrupt practices or used undue influence to defeat him; but in fighting our political battles over again on the floor of this House to merely repeat hearsays of what one man or another man says would not be taken in court as evidence; and I am not prepared to believe that this House will accept the mere statements that are made to the candidates, whether successful or defeated, as evidence that corrupt practices have prevailed.

Mr. MALLORY. I wish it to be distinctly understood that I have not said a word against allowing the contract to be carried out. I have not said a word in favor of taking the contract out of the contractor's hands, or allowing it to be fulfilled, or making this the best possible canal under the circumstances. I have not said it was not a work in the interest of the country. I have not said a word against that particular matter at all, and I do not wish the Minister of Customs to make a statement that would even leave the inference that I had said anything against that work, because I never have, and do not say so to-night.

Mr. BOWELL. I am not aware that I laid any such charge against the hon. gentleman.

Mr. MALLORY. No, but by inference he did. But the charge that I make still remains, that I believe it is improper that a contractor, who owes his financial position

and everything he has to the good-will of a government, should go out and use every influence he possibly could in favor of the Government of the day. Many of the matters that I have spoken of have not been matters of hearsay at all, but matters of fact that I know myself. I know as a matter of fact that one of the employés of the Government employed those men to cut holes in the ice.

Mr. BOWELL. If they were not paid by the Government that would not be a corrupt act on the part of the Government.

Mr. MALLORY. If this man is in the employ of the Government his time belongs to the Government, and not to some electioneering committee. That is the ground I take. I think it is my duty as the representative of that constituency, to bring this matter to the attention of the Government, so that if any wrong has been done to the country, that wrong could be righted; and I should fail in the discharge of my duty if I did not point out to the House and the country the manner in which the works have been conducted.

Sir RICHARD CARTWRIGHT. What is the depth of water?

Sir CHARLES TUPPER. Eleven feet, the lowest low water level of Lake Ontario.

Mr. MALLORY. What arrangements have been made as to walling or otherwise providing against the sand coming into this canal? I have understood from the contractors and others that there was much more sand—I do not mean quick-sand—on the route of the canal than was anticipated. I would like to know what the character of the embankment will be, whether stone or timber, to prevent sand coming in?

Sir CHARLES TUPPER. I am not able to tell the hon. gentleman specifically. He is aware these canals are under the supervision of one of the ablest engineers in this or any other country, and he may be certain, whatever measures are found necessary to protect the work, as it progresses, will be adopted.

Welland Canal..... \$120,000

Sir CHARLES TUPPER. This is required to complete the aqueduct under contract with Mr. Beemer, also to settle with R. Dunbar, Section No. 34, and the lining of the banks.

Welland Canal—towards deepening to 14 feet throughout..... \$450,000

Sir RICHARD CARTWRIGHT. Is that finished?

Sir CHARLES TUPPER. It is not; \$450,000 will complete the deepening of the canal to 14 feet throughout.

Sir RICHARD CARTWRIGHT. Is it possible to make it any deeper, or is 14 feet the maximum?

Sir CHARLES TUPPER. If my recollection serves me aright, having been formerly Minister of Railways and Canals, I believe that 14 feet is all the depth estimated to be obtained at present. The canal was so constructed as to have a depth of 12 feet., and the increased depth was obtained by heightening the banks. I am not able to say whether they would admit of being raised further, so as to give greater depth of water.

Trent River Navigation.....\$90,000

Mr. BARRON. At this late hour I am not prepared to take up the time of the House in discussing this scheme at any particular length, but I think it is my duty to my constituency, which is deeply interested in the construction of the Trent Canal, to express the opinions they entertain on this subject. I think if the gentlemen living throughout

the entire route of this canal, from Georgian Bay down to the Bay of Quinté, are as equally interested in it as the constituents I represent, I may fairly say that I express their feelings, when I say they are deeply disappointed at the Government not doing anything more than they now promise to do. I take it from their estimates that they do not intend to grant any more money than that which they originally voted. I understand that the \$90,000 to be expended is part of a former vote, so that the fact is there is no new vote to be taken this Session on behalf of the construction and continuation of that canal. I say, therefore, the people will be most deeply disappointed at that state of things. I presume to say, although I know it is not wise sometimes for a young member to presume too much, that the Government is a little to blame in this matter. Hon. gentlemen remember the answer given me the other day by the hon. the Minister of Railways and Canals. He then said it was not the intention of the Government to enter upon any new works on this canal, but to complete the works now under progress. It may astonish some hon. gentlemen to learn that that, practically speaking, is the very same answer which was made by the hon. the Finance Minister in 1882. He then said that the Government intended to see if the works could not be completed. I want to be accurate, and shall read, therefore, from *Hansard*, the answer made by the Finance Minister to the former representative of North Victoria, when he asked the question almost similar to that which I asked two days ago:

"I beg leave to say that an appropriation having been made for that purpose, an engineer was engaged to make a careful location and survey of the Trent Valley Navigation, with the view of arriving at the cost and feasibility of construction of that work."

That was in 1882. There also appears in that year the sum of \$8,000 placed in the Estimates for that purpose. Here are the words of the Finance Minister on that occasion:

"We shall presently come to an additional item of \$8,000 to prosecute that survey to its completion during the present season."

Five years have elapsed since that time, and although the Government then promised that the works should be pushed to completion, so far as surveys were concerned, we have to-day, five years afterwards, almost the self-same answers made by hon. gentlemen opposite. They appear to give as excuse for such an answer that they are not sufficiently familiar with the work, or, at all events, with the cost of the work, to say whether they can go on with it or not. At this hour, I do not intend to ask the House to listen to a reading of the report brought down to the House in 1882, but I shall ask the permission of the House to read the first clause, and I cannot understand that that report being in their possession, the Government can now say they are not sufficiently familiar with the feasibility of the work to say whether or not they can go on and complete it or not:

"The undersigned has the honor to represent that from time to time, during many years past, as shown in successive annual and other reports, the establishment of a line of water communication between Lake Ontario, at the mouth of the River Trent, and Lake Huron, through the utilising of existing river and lake waters, has been under consideration."

That report is a very old one indeed; it has been in the possession of the Department many years.

Sir CHARLES TUPPER. If the hon. gentleman will allow me to interrupt him, I think I may say he has entirely misapprehended the statement of the hon. Minister of Railways and Canals the other day, and that he is beating the air, fighting a shadow, setting up a man of straw and then knocking it down. The Minister of Railways and Canals has said nothing about the survey, or about the report, or about the engineering information that was desired. What he did state was, that he proposed to take a vote for the completion of the work

Mr. BARRON.

now in progress, and for a commission during recess to take up the whole question of the extension of the works on the Murray Canal. That has nothing to do with the surveys or reports, but has simply reference to the utilisation of these reports, and the demand and necessity for a large expenditure of public money in order to make a new canal through there. I am sorry to have to interrupt the hon. gentleman, and if this were during the winter season, I would not do so, but here in the dog-days and at midnight, to deal with an argument of this kind is rather trying.

Mr. BARRON. Of course I should be sorry to be under any misapprehension, but, although we all recognise the great ability of the Finance Minister, I think I can read plain English as well as he can. It is not my fault if I have misread the answer given the other day. I am not alone in that. The organ of the hon. gentleman gives it in the way in which I understood it.

Sir CHARLES TUPPER. Take the *Hansard*. We have an accurate report there of what takes place.

Mr. BARRON. If the hon. gentleman will listen to me I will read the observations of the *Peterborough Review*, which is recognised as being a Conservative paper, in reference to the answer made to me the other day:

"The statement made by the Minister of Railways and Canals that a commission would be appointed to examine during the recess into the nature and cost of further works to open the Trent Valley navigation will not be favorably regarded in this district. The nature and cost of these works"—

Sir CHARLES TUPPER. If the hon. gentleman will take the *Hansard* I will stand corrected, if he will show that it was a question of the surveys and costs that was referred to.

Mr. BOWELL. What was the date of that paper?

Mr. BARRON. I shall continue to read what the *Peterborough Review* said.

Some hon. MEMBERS. Oh.

Mr. BARRON. Well, it is a very singular thing that there should be others mistaken as well as myself. The answer was given by the hon. gentleman, and has gone over the country, and the people who are interested along the route of this canal—and there are a great many of them—have considered as I have—

Some hon. MEMBERS. Take the *Hansard*.

Sir CHARLES TUPPER. Suppose you hand it to the reporter, and let it be treated as read.

Mr. BARRON. The paper says:

"The nature and cost of these works have already been fully investigated and if the Ministers insist upon their officials producing them they will find ample materials on which to form a judgment. Indeed on the information before them they some time ago formed a judgment, recognised the value and feasibility of this great improvement and promised to carry it out as promptly as the finances permitted. So far they have continuously prosecuted the works, but the section now in hand is now near its completion, and for the first time since it was recommenced there will be a cessation of the work.

"There is no disposition to dread an investigation on account of want of confidence in the merits of this improvement. The more it is investigated the more clearly it will appear that for a comparatively small outlay a route can be opened that will be of great value to the country at large. Its benefits have been plainly demonstrated and have been officially admitted. Mr. Starke's careful estimates showed that it would be far from costly for a route of such great importance, and nothing has since arisen to modify this view. If a commission is to be appointed we hope it will consist of men of sound judgment, and then there can be no fear of their reporting adversely to this necessary work.

"But, as we have before remarked, we see no need of a commission. The stage of investigation is passed. Another section, say from here to Lakefield, might well be placed under contract, for the plans and estimates are ready. Many railways that have been subsidised in other parts of the Dominion are of far less public importance than this navigable route."

Now, in addition to that, it appears that the hon. gentleman wrote a letter a few days ago to the hon. member for West Peterborough, which is printed in the Peterborough papers. I will not read it at length, but simply the part which refers to this point :

"I have to say in reply that, inasmuch as I would like to meet your views respecting this matter, I will press on the work, so far as already begun, to completion this season, if possible. In so far as the balance of the work of the Trent Valley Canal is concerned, I have to say that, before proceeding further, we will, after the Session send on a commission to report fully upon the whole matter."

This is signed by the Minister of Railways and Canals. Now, I think I am justified in taking up a little time, because I tell hon. gentlemen opposite that the answer made to me the other day has created a little disturbance in the localities which are interested in this canal, so much so, I understand, that, in face of the remonstrances of the Minister of Railways and Canals, a deputation is coming from the town of Peterborough to ask the Government to make an appropriation for this purpose. I am simply expressing the disappointment which is felt as to their not having been treated fairly as far as this work is concerned. We have the promise of the Minister of Public Works made to the member for West Peterborough that the works will be completed or gone on with between Peterborough and Lakefield during the coming summer. I shall read the remarks which the member for West Peterborough (Mr. Stevenson) made on the night of the election. He is reported by the *Peterborough Review*, the Conservative organ, to have said :

"The Minister of Public Works had given him every assurance that the Trent Valley Canal contract between Peterborough and Lakefield would be let during the coming summer. This was no electioneering dodge, because the elections were now all over."

The statement was made on the night of the election, therefore, the promise must have been made before the election was over.

"He hoped next summer to see thousands of men employed in and about Peterborough."

That is what I hope to see, and I believe the public who are interested in this canal, and there are very many of them, will regard this otherwise than as an electioneering dodge, more or less, by the hon gentlemen opposite. We all remember that the Minister of Finance paid a visit to that part of the country before the works were begun, and he was reported to have said that the work would be gone on with, but we have it from higher authority. Hon. gentlemen will remember that elections took place in June, 1882, and what at that time did the Premier of the country say? He went there accompanied by the present Speaker of the Senate, and he said :

"Every town of sufficient size wanted a post office and a custom house, and every part of the country wanted some improvement in order to develop its resources, just as those he was addressing demanded the carrying out of the Trent navigation system, and they were going to get it. It was by mere chance the Government had the opportunity of carrying out that great project of inland navigation."

Speaking of the Trent waters, he said :

"The Government kept them till the revenue had expanded sufficiently to justify them in going to Parliament as they did last Session, and getting a substantial vote which would be sufficient to add 150 miles of internal communication to their part of the country. The vote taken last Session would, however, amply guarantee that the whole work would be carried out as fast as the revenue would allow, so it could be constructed."

Now, that is what the Premier stated in June, 1882. I do think, therefore, that the people interested in this work have a right to expect that the Government will go on and complete it. The Government go into other expenses, they expend an enormous sum on the Franchise Act, which for one election, assuming that we shall have only one election in five years, will amount to between two and a quarter and two and a half million dollars. Now, if they would dispense with that and take the money and build

this Trent Valley Canal the people would be thoroughly well satisfied all over the Dominion. Hon. gentlemen opposite know that this matter has been looked upon altogether aside from party feeling; the Reformers have joined hands with the Conservatives in representing to hon. gentlemen opposite its necessity. I say it is not treating the people fairly now to do no more than simply give us a revote of \$90,000. I am sure the people will be greatly dissatisfied all along the line of these works unless something more is done.

Mr. STEVENSON. As my name has been mentioned in connection with this matter, I wish to make some remarks before the vote is carried. I regret that the Minister of Railways and Canals is not in his place, not being well enough, unfortunately, to remain. In respect to this canal I have myself taken a great deal of time and trouble, and probably know as much about it as my hon. friend from North Victoria (Mr. Barron). I may say in the beginning that I have the utmost confidence in the intention of the present Government to do what is right and to press forward the work of the canal. From the beginning I have never wavered in that belief, and I have heard nothing from the Government to justify an intention that the works will not be proceeded with. It is quite true that the Minister has stated that the Government intended to appoint a commission immediately after the Parliament rises, to go over the works and report. What that means I do not know exactly. I must say that I did not expect that answer, in the first place, because I thought, and think still, that no commission was required. I have always understood that there is no doubt of the feasibility of the project, and I think still that the most expensive part of it has been constructed. I think the locks at Burley, where the rocks are very hard and difficult to blast, are the most expensive and difficult portion of the whole work, so far as I know. The section above Peterborough is one of a very different character, as the rock is of shale limestone and easy to cut. I do not think there will be any difficulty in the project. The town of Peterborough is very much interested, and the Government knows this very well. I was in Peterborough the other night, and a meeting was immediately called at which I gave the answer of the Minister, supposing that it would be satisfactory. The council urged a deputation to go to Ottawa, and it will arrive here the middle of next week to interview the Government on this matter. I know that other deputations are coming. People along the Trent Valley Canal on both sides of the river are alive to this matter. They are determined, no matter what Government is in power, that they shall have that canal eventually. It has been dragging along now year after year. The hardest part of the work has now been done, and I give the present Government credit for it. The Mackenzie Government, instead of doing anything towards that work, handed over the title of it to the Ontario Government, and all they ever did was to appoint some men to keep the people from fishing. But to the present Government, and also to the present Minister of Railways and the present Minister of Finance, we are indebted for all that has been constructed so far. I am happy to know that there is no intention on the part of the Government to abandon it, so far as I have been able to gather from them. I have pressed the work upon them as earnestly as I know how. I have urged the construction of this canal, as well as I know how upon the Minister of Canals and also upon other members of the Government, and I have no doubt that when times get a little better and money is more plenty, we will have a large grant towards this canal. In connection with these canal contracts I know, and everyone must know, that every contractor and every official belonging to the Local Government worked as hard as they possibly could

to oppose this Government. They did not make any bones about it, and spent money without end in our constituencies. I know that every man from the lowest bailiff to the head of the Government of Ontario travelled through our constituencies, and fought the Government, and fought myself—I know that to a certainty—from the Premier down. I know that every man in their employ from one end to the other, travelled round and did everything possible to oppose the present Government. I would not have referred to this matter if it had not been referred to by the hon. member for East Northumberland (Mr. Mallory). In reference to cutting holes in the ice the contractors may do as they please, I suppose. I do not know anything to prevent them, I do not know as any government can prevent them, and if they see fit to help a candidate, and spend their own money, I suppose they have a perfect right to do it. I know that in our part of the country the Government spent no money, at least in my behalf. Whatever money was spent in my behalf, I spent it myself, and I asked nobody to help me. I did not want any assistance. My expenses were very little, comparatively speaking. I spoke with regard to the contractor. The contractor for the canal was not there at all during the elections. I do not know about cutting holes in the ice, but it does seem singular that it should have been done. That man must be a good contractor if he cuts holes in the ice in the winter and lets them freeze up again. I know where other things were done that were probably as ridiculous as that, although, perhaps, they were not paid for by the Government. I am very sorry the Government have not seen fit at the present time to put a larger amount in the Estimates. I hope that before the Session closes they will give us something more, but if they do not, I trust that another Session will not pass without their doing something more. I am satisfied that all the inhabitants in that Trent Valley, from Barrie and from Lake Huron down, will support the Government if they go on with that canal. The people are terribly in earnest about it; they are determined to have it. There is a large lake in the rear, and a shortening by the water way of over 150 or nearly 200 miles, so that vessels could reach Montreal much more quickly than by any other route. Yet the work is not done, and vast sums of money are spent on the Welland Canal. All the engineers to whom I have spoken are satisfied that there is no difficulty with respect to its construction. The present engineer says that the total amount necessary for the construction of the work is between three millions and four millions. We have spent already at various times during the last thirty years in the neighborhood of one million dollars, and it is not all to be thrown away. No Government will permit this expenditure to be wasted, and the necessities of the west and North-West will eventually force the Government to construct this work. It is the most direct outlet by water for the products of the North-West. Look at the water route by way of the Georgian Bay and the Sault down by this canal by which barges could come by Lakes Superior and Huron through to Montreal without transshipment. The advantages are so enormous that I cannot see what the trouble can be, and I hope that before long the Government will see its way, in fact I have no doubt about it, to carry this work to completion. I have full confidence in the present Government that they will give all the assistance we need to press forward the construction of this canal as rapidly as possible. I can quite understand that it is necessary to have a commission sent up there to examine the work. I am aware that the engineers have not agreed in their reports as to the cost of its construction, and, therefore, I see the necessity of the course the Government intend to pursue. On that account I am willing to acquiesce in what the Government have agreed to do, and I am satisfied that the people living along the line of the canal feel confident that the Government will

Mr. STEVENSON.

carry forward the work and complete the canal as soon as possible.

Tay Canal..... \$55,000

Sir RICHARD CARTWRIGHT. How long has this canal been under construction; how much has it cost, and how much is it likely to cost? There have been sums in the Estimates for the last 15 years.

Sir CHARLES TUPPER. The hon. gentleman will feel very much relieved when I tell him that the expenditure commenced in 1883. From that date to 1st March, 1887, the expenditure has been \$255,360; this sum of \$55,000 will complete the work, including the new basin at Perth, which is not under contract. We shall thus obtain a canal 6 miles in length at a cost of a little over a quarter of a million dollars.

Culbute Canal—to remove shoal, &c.....\$25,000

Mr. WHITE (Renfrew). Is it estimated that that sum will be sufficient to pay for all the works and complete the payments for land damages?

Sir CHARLES TUPPER. This amount is required to remove a shoal, at a cost of \$1,000, and the balance of the amount is to pay the land damages in connection with the retaining dams. So this covers everything.

Lachine Canal..... \$6,600

Sir RICHARD CARTWRIGHT. Are you going to introduce telephone lines all along the canals?

Sir CHARLES TUPPER. This amount is for the building of a new swing bridge at Lock No. 5, and the purchase of telephone lines. The first amount is \$5,000, and the second \$1,600. The Public Works Department has been paying a rental of \$650 per annum to the Bell Telephone Company for the use of their line on the Lachine Canal, and this is to purchase the line from the company.

Beauharnois Canal.....\$11,650

Sir CHARLES TUPPER. This is for the deepening of the bottom of the canal and building telephone lines. For the first item there is \$10,150, and for the second \$1,500.

Williamsburg Canal.....\$1,613

Sir RICHARD CARTWRIGHT. Is this to pay the owner of titles of lands taken for the construction of the Rapide Plat Canal recently or a long time ago?

Sir CHARLES TUPPER. In 1885.

Rideau Canal.....\$33,000

Sir RICHARD CARTWRIGHT. Is \$10,000 not a rather heavy item for changing the location of the swing bridge over the canal at Smith's Falls.

Sir CHARLES TUPPER. A very numerous signed petition was received from the ratepayers of the town of Smith's Falls, stating that great delay occurred and injury to business resulted from the bridge being placed immediately over the locks. It is a serious hindrance to passengers. This difficulty can be removed by adopting another location above the locks, and the delay would thereby be reduced simply to the time required in passing the vessel through the bridge. The estimate of the work has been furnished by the superintending engineer at \$10,000.

Sir RICHARD CARTWRIGHT. It seems a large sum for a swing bridge. The Rideau is a small canal.

Sir CHARLES TUPPER. Yes, but a swing bridge is sometimes an expensive thing.

Committee rose and reported progress.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to, and House adjourned at 12:45 a.m. (Wednesday).

HOUSE OF COMMONS.

WEDNESDAY, 8th June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

ADJOURNMENT.

Sir HECTOR LANGEVIN moved :

That when the House adjourns to-day, it do stand adjourned till Friday next, at three o'clock, p.m.

Motion agreed to.

REPORTS OF PRINTING COMMITTEE.

Mr. BERGIN moved that the third and fourth reports of the Joint Committee of both Houses on the Printing of Parliament be adopted. He said: In moving the adoption of these reports I desire to call attention more particularly to two paragraphs. The first paragraph to which I desire to call attention is to be found on page 315, of the Votes and Proceedings of the 6th inst. :

"Resolved, That in the opinion of this Committee the furnishing of the stationery required in either House should remain under the control of each House, as at present, and that the 'Act respecting the Department of Public Printing and Stationery' be so amended as to provide for the same."

This recommendation of the committee we trust the Government will take into consideration, and that they will meet the wishes of the committee. It is felt by the committee that the handing over of the Stationery Department in either House to the Printing Department, would give rise to very great inconvenience and annoyance, and would not at all contribute to the convenience and comfort of members of the House. It would be very awkward, should it be handed over to the Printing Department, to be constantly sending to that Department for a sheet of paper or an envelope. It is in the convenience of the House now, but it would not be in the future. Again, there is a very strong feeling amongst the members of the committee that they have already delegated to the Government as great powers as they ought to have, and that this one little thing that remains to us we should keep in our hands. We trust that the Government will take this representation into consideration immediately. There is another portion of the report to which, also, I desire to call attention, and it is that which refers to the providing of further accommodation for the distribution department. We examined carefully all the space at the disposal of the distributing department, both in the vaults and upstairs, and we find that there is now no room for any further storage. We find, also, that the head of the distributing branch has been obliged to reduce the number of documents which he has been in the habit of filing away, and we think this is a very serious matter, and one which should be enquired into immediately, with a view of providing further accommodation. It has been suggested that, as the present Railway Committee room is entirely too small, and a large space in the vaults is taken up with the ventilating department of that Railway Committee room, a new Railway Committee room should be provided, that the present one should be used for other purposes, and that in the vaults which are now encumbered with the ventilating

apparatus of that room—apparatus which, by the way, does not ventilate it at all—space should be provided for the use of the distributing department.

Sir JOHN A. MACDONALD. I do not think we have had an opportunity of reading this report; at all events, I have not, although I have had the pleasure of hearing my hon. friend's speech. I think we had better let it stand over, so that we may have the opportunity of considering it a little.

Mr. BERGIN. Until Monday?

Sir JOHN A. MACDONALD. Yes, remove it on Monday.

Mr. BERGIN. Before, however, the motion is entirely withdrawn, I would ask the right hon. the Premier whether he will have the motion as adopted by the House, placed on the Government Orders; otherwise the Bill cannot be got through this Session, and the only way in which the views of the committee can be adopted will be by the Government amending their Printing Bill.

Sir JOHN A. MACDONALD. We must, in the first place, see if the Government can give their approval of the report. If they give their approval to the report, it will be their duty to carry it out.

Mr. BERGIN. And then it will be placed on the Government Orders.

Motion withdrawn.

REPRESENTATION ACT AMENDMENT.

Mr. THOMPSON moved for leave to introduce Bill (No. 140) in addition to the Revised Statutes, Chapter 6, respecting representation in the House of Commons. He said: The Representation Act, as published in the Revised Statutes, continues the old enactment that the House shall consist of 211 members, and a subsequent chapter deals with the representation in the North-West Territories; but it is proper that the second section should be amended to make it conform with the present number of members of the House. There is also a difficulty arising from the fact that, since the representation in the House was last distributed, the boundaries of some municipalities have changed, and, therefore, if the Act reads as it now does, from the day the Revised Statutes were brought into force, the boundaries of some of the constituencies would be different from those boundaries as established by the Act of 1882. The Bill contains a short clause declaring that the meaning of the Representation Act is that every county, city, town, township, village, or other territorial division, shall be as it stood prior to the bringing into force of the Revised Statutes.

Mr. MILLS (Bothwell). I think, if the hon. gentleman proposes to legislate literally in the direction he has mentioned, very serious inconvenience might arise. No inconvenience might arise where a whole municipality is taken into an adjoining constituency; but where the boundaries of a township are enlarged, and a small section is taken in, the hon. gentleman would leave that still a part of the constituency to which it had formerly belonged. That would be very inconvenient.

Sir JOHN A. MACDONALD That frequently happens.

Mr. MILLS (Bothwell). Then it seems to me that the municipality ought to remain unbroken. That is the way the constituency of the hon. Postmaster General was dealt with. If I rightly remember, London East was a part of the electoral district of East Middlesex before the enlargement of the city, but it was made part of the hon. gentleman's constituency before the recent election.

Mr. CARLING. It was part of the constituency in the Local election, but not in the Dominion.

Mr. MILLS (Bothwell). But there would be less difficulty where a whole municipality was taken in than where a small section was taken in. There might not be twelve voters in the section, and yet in making up the voters' lists they would have to be separated from the municipality to which they belonged. For instance, the extension of the boundaries of Chatham included not more than fifty electors, and if they were left a part of the adjoining constituency serious inconvenience might arise.

Sir JOHN A. MACDONALD. I think the principle was set early in our legislation that there should be no re-adjustment of the constituencies, either in regard to the boundaries or otherwise, except every ten years after the taking of the census, and I think it would really be well that we should adhere to that rule. Occasionally, by the addition of a rural portion of a county to a town, there may be a little inconvenience, but it would be much better that that little inconvenience should be borne than that we should have little Bills brought in on every alteration of the bounds of any municipality, either urban or rural, to alter the bounds of the constituencies for electoral purposes. We would have continual taunts of gerrymandering thrown across the floor. We had better leave the matter as it is, so that the electoral districts shall remain, both as to boundaries and otherwise, as they are until the next re-adjustment. Depend upon it, we would bring upon ourselves a great deal of trouble, and a great many objections from both sides of the House, by making any other alterations in the boundaries of constituencies, because if the argument of convenience is adopted in one case, that argument will apply in another, and various reasons will be given why it is convenient to alter the boundaries of constituencies. The boundary of a constituency should not be altered except once in ten years.

Mr. MILLS (Bothwell). We had no such rule as that.

Sir JOHN A. MACDONALD. I think we have never deviated from that principle. You remember the Bill introduced some time ago.

Mr. MILLS (Bothwell). The Tuckersmith case in the other House.

Sir JOHN A. MACDONALD. In the case of that measure this was considered the most inconvenient rule.

Motion agreed to, and Bill read the first time.

PROHIBITION OF INTOXICATING LIQUORS.

Mr. JAMIESON moved:

That, in the opinion of this House, it is expedient to prohibit the manufacture, importation and sale of intoxicating liquors, except for sacramental, medicinal, scientific and mechanical purposes. That the enforcement of such prohibition and such manufacture, importation and sale as may be allowed, shall be by the Dominion Government through specially appointed officers.

He said: Mr. Speaker, there seems to be a desire on both sides of the House to expedite business and hasten the close of the Session; and in introducing the resolution of which I have given notice, I shall exercise the utmost brevity. The resolution is a very important one in many respects. It is important, first, in consideration of the interests involved to those engaged in the traffic of manufacturing or selling intoxicating liquors. In the second place, it is important to those who are affected by the traffic; and, in the third place, it is important to the Government, owing to the large amount of revenue which is derived from the traffic. Now, in introducing this resolution, I cannot overlook the very grave importance which is attached to it, and I trust that it shall receive very careful consideration at the hands of the members of this House.

Mr. MILLS (Bothwell).

While I do not invite an exhaustive discussion of the question, at the same time I trust that a number of the leading members on both sides of the House will favor us with their views upon it. I may say that this question has not been brought up of my own motion, although I am in full accord with it. I have been delegated to introduce it by the Dominion Alliance for the suppression of the traffic in intoxicating liquors. I am not prepared to contend that the opinions of the Dominion Alliance should prevail with the members of this House; at the same time I do say that its opinions are entitled to a great deal of weight. It represents the different temperance institutions and organizations of this Dominion, besides having within its membership a large number of laymen and clergymen from all parts of the Dominion. It was the desire of that body that the question of the prohibition of the traffic in intoxicating liquors should be brought before this House, and through this House before the country, the Alliance considering that the time had come when an expression of opinion should be given by this House, and by the country upon the question. It has been said in the public press that a private member has no right or authority to introduce prohibitive legislation in this House. I may say that I have looked into the question, and although I do not profess to be very high authority on questions of that kind, I have come to the conclusion that, did I think it proper, I have authority as a member of this House to introduce a prohibitory Bill here and have its provisions discussed and disposed of by the House. I am quite prepared to admit that a private member cannot initiate any legislation which will affect the revenue of the country by casting a burden upon them; but, so far as lessening the revenues of a country are concerned, that may be brought about by private legislation. However, we did not deem it necessary to introduce a prohibitory Bill this Session. We came to the conclusion that the matter could be brought before the House in the manner in which I brought it, by a resolution affirming the principle of the prohibition of the traffic, and indicating the general lines upon which prohibitory legislation should be framed. Should this resolution be carried it will become necessary to introduce a prohibitory Bill based upon the resolution. Now, I do not purpose at length going into the effects of this traffic upon the country at large. I believe it has been ascertained beyond doubt that the people of this Dominion expend annually in the neighborhood of \$40,000,000 in intoxicating beverages. Certainly, they expend a very large sum, exceeding the whole revenue of the Dominion. In addition to that, I believe about three million bushels of grain are annually destroyed in the manufacture of intoxicating liquors. This grain is converted from its proper and legitimate use as human food into that which, in my judgment, is not only useless, but very injurious to the whole interests of the people. The large amount of money, which is expended in intoxicating liquors, must, to a very large extent, affect the trade and commerce of the country, and I have no doubt that if it were diverted from that purpose and turned into a more useful channel, it would bring about a much more salutary state of things in the country, and that every inhabitant of the country would be largely benefited. In addition to this there is no doubt that the traffic in intoxicating liquors is productive of a very large amount of vice. I am not going to enter into statistics, but on former occasions statistics have been given which point conclusively in that direction. I make a statement which, I think, cannot be gainsaid, that at least a large proportion of the crime of the country is directly attributable to the traffic in intoxicating liquor. I might call attention to the statement of Mr. Gladstone in reference to the traffic in England, which is equally applicable to the traffic here. He says:

"It has been said that greater calamities are inflicted on mankind by intemperance than by the three great historical scourges—war, pestilence and famine. That is true for us, and it is the measure of our discredit and disgrace."

Sir, the pathway of this traffic is strewn with the wrecked lives and fortunes and the blighted hopes of a large number of the inhabitants of this country, and if, by the strong arm of the law, we can put an end to that state of things, I have no doubt that the country would be largely the gainer. It is contended, that the landlords of Ireland have, by the operation of the law, brought about a very large number of evictions, but I have no hesitation in saying that the traffic in intoxicating liquors has evicted more people than ever did the landlords of Ireland or of any other country. It will be asked what remedy can we apply to this state of things? A great legal luminary has said that the object of all law is the well being of the governed. That can scarcely be questioned. It has been further said that that is the best law which produces the greatest good to the greatest number. Now, if by legal enactment we can bring about a better state of things in reference to this traffic, I think it is our bounden duty as representatives of the people to enact such a law. Some contend, perhaps honestly, that it is a most improper thing to pass what are called sumptuary laws; and some think that they sum up all the wisdom of the ages, when they say you cannot make a man sober by Act of Parliament. We have never contended we can, but we do contend that we should cease to make men drunk by Act of Parliament. So far as prohibitory legislation is concerned, the principle is not a new one. It is embodied in every law which we enact. Take, for instance, the license law. That is simply prohibition with licensed exceptions. We simply ask to carry the principle a little further. Where the license law prevails, 399 persons out of every 400 are prohibited from trafficking in intoxicating liquors. We simply ask to extend the principle a little further, and prohibit the 400th man from doing what the 399 men have been prohibited from doing. I believe the principle is a correct one. We are not asking this House to initiate a new principle. In several States of the Union they have prohibitory legislation. For instance, in the State of Maine for thirty-five years they have had a prohibitory law, and have been going on from year to year, making it more perfect. They have also a prohibitory law in New Hampshire, Vermont, Rhode Island, Kansas and Iowa. In addition to that, in the State of Maine, three or four years ago, they passed an amendment to the State constitution, rendering it impossible ever to take a retrograde step upon the question of prohibition. I would point out, as an indication of the strong hold which the question of prohibition has taken on the people of that State, the fact that the prohibitory amendment to the constitution was carried by the overwhelming majority of 44,000 out of 84,000 votes polled. So far as the people of the State of Maine are concerned, they are perfectly satisfied with their prohibitory law. I may say further, that, as to the working of that law in the State of Maine, with the exception of a few of the larger cities, it is perfectly satisfactory. I will read a few statements made by Governor Bodwell of that State, in regard to the Maine law. He says:

"The question of the prohibition of the liquor traffic in Maine has engaged popular attention within the last year to a considerable extent. The agitation has resulted in a re-affirmation on the part of the people of their full faith in the prohibitory system, and of their desire to see the law fairly administered and fairly enforced. The situation in the State respecting the law may be briefly and candidly stated. In from three-fourths to four-fifths of the town of the State the law is well enforced and has practically abolished the sale of spirituous and malt liquors as a beverage. In the larger cities and towns, on the seaboard and at railway centres, it has been found more difficult to secure perfect compliance with the law, but it can still be said that at very few points in the State is liquor openly sold. The offences against the law are in large part clandestine, and therefore difficult to detect and expose by legal testimony. But it is a great moral gain when the liquor seller is driven

from light of day to secret places, and to stealthy devices to carry on his hurtful and demoralising traffic."

That is the opinion of the Governor of the State of Maine. I believe that the working of the law has been satisfactory in other States which have adopted it. I am not advocating any new principle even so far as our own legislation is concerned. In 1864, the Parliament of the old Province of Canada, passed the Dunkin Act. Although that was by no means a perfect piece of legislation, and did not work as satisfactorily as the advocates of temperance could have desired, or did desire, still it gave the opportunity to the people of showing their disapprobation of the traffic in any municipality where they thought proper to do so. In addition to that, it embodied a principle which had never hitherto been conceded in this country—that was the principle of local option. However, the Dunkin Act was not considered just the piece of legislation which the temperance people of this country demanded, and a further agitation was gotten up for the purpose of improving the legislation in reference to the suppression of the traffic. In answer to the demand of the temperance people, in 1878 the Canada Temperance Act was conceded. That was a very great improvement on the Temperance Act of 1864, and it was laid hold of to a large extent by the people of this Dominion and put in operation, and in many cases, in my judgement, with a great deal of satisfaction. But even the Canada Temperance Act was not what the temperance people of this country sought for or demanded. They demanded the total suppression of the traffic in intoxicating liquors, but, being willing to accept part of what they asked, not being able to secure the whole, they have discharged their duty in operating the Canada Temperance Act. That Act has had two good effects; in the first place, of educating the people in reference to the effects of the traffic, and, in the second place, it has enabled them to sound public opinion on the subject of the prohibition of the traffic. At the present time in this Dominion, the Canada Temperance Act is in force in over sixty counties and cities, and has been carried by very large majorities. No political party appealing to the country has received such a response from the people as the response which the people gave in answer to the demand for the adoption of the Canada Temperance Act. But even the Canada Temperance Act is imperfect and very defective in several respects, and it is not a fair test of the public sentiment on the question of the prohibition of the traffic. It must be obvious to every hon. member of this House that, in order to make the prohibition of the traffic effective, we must not only be able to prohibit the sale, but we ought to be able to go further and prohibit the importation and manufacture. It is well known that the Canada Temperance Act only prohibits the sale, and does not go far enough, and, in our judgment, we ought now, in answer to the demand of the people, to receive a law which will enable us to prohibit not only the sale but the importation and the manufacture. I may say further, that the principle of the prohibition of the liquor traffic is not a new one in this Dominion. In 1873, the present Minister of Finance, then Minister of Customs, placed upon the Statute-book, through the Parliament of this country, a very important measure. I refer to the prohibition of the importation, sale and manufacture of intoxicating liquors in the North-West of this Dominion; and, notwithstanding the reports which we hear from time to time from that section of our Dominion, that the law is not being enforced as it should be, I have the very best authority for knowing that it has been of very great benefit to the people of that section, and that it has to a very large extent prevented the traffic in intoxicating liquors. The only defect in connection with that legislation, in my judgment, was the power given to the Lieutenant Governor to permit the introduction

of liquor without specifying that it was for such purposes as medicinal, chemical and sacramental. I understand, and I am afraid it is but too true, that that part of the law has not been observed as strictly as it should have been, and that there have been abuses which ought never to have been permitted in the North West Territories in connection with the administration of that law. Now, Sir, I have no doubt that it will be contended, and, perhaps, with some force, that we should not enact a prohibitory law until the people are prepared for it. But we do not always act upon that principle. I think that we have frequently, in this House, enacted laws for which the people were not fully prepared. I am strongly of the opinion that the law is a schoolmaster, and a very good schoolmaster too, that the law is an educator of public opinion, and a very good educator too; and that if the law in itself be right, that is all this House need ask itself before passing it. If the law be right, if the circumstances of the country demand it, let us pass the law, and let the law be enforced as it can be. I have no doubt it would be enforced, and properly enforced, and that the people would soon be educated up to it. In addition to that, I believe that this House, this Parliament, is pledged to pass a prohibitory liquor law. The House will, no doubt, recollect that, in 1884, the present Minister of Marine submitted a resolution to this House affirming the principle of the prohibition of the liquor traffic. That resolution was adopted with a certain amendment, and the House pledged itself to adopt prohibitory legislation when the country was prepared for it. Now, we hold that since that deliverance on the part of this Parliament, the country has spoken unmistakably in reference to the traffic in intoxicating liquors; that from one end of the country to the other, where the Canada Temperance Act has been submitted to the people, they have shown unmistakably that they are ready for the prohibition of the traffic. It was contended for some time that the jurisdiction of the Dominion Parliament and Provincial Legislatures in respect to this question, had not been sufficiently defined to enable this House to assume control of a question of this kind. But, Sir, no such contention as that is now available by the opponents of prohibition, because the highest authority in the realm has declared that with this Parliament alone rests the power to prohibit the liquor traffic. It will be said, doubtless, that it would be a most improper thing to pass a prohibitory law without giving proper notice, or without giving compensation to those engaged in the liquor traffic. Well, Sir, so far as those engaged in the traffic are concerned, I believe they ought to have due notice. In the event of a prohibitory law being passed by this Parliament, I believe it ought not to go into force immediately, and that a notice of two years to those engaged in the traffic, should be given before it went into force. So far as the question of compensation is concerned, I do not propose at the outset to touch it, because I intend to bring my remarks to a close shortly. It may be said that we who are advocating the prohibition of the liquor traffic have no proper sympathy with those whose interests are involved in it. Well, Mr. Speaker, I have sympathy for those whose interests are involved in it, but I have a deeper, a wider, a more intense sympathy for those who are injured by the traffic. Without extending my remarks any further, I beg to move the following resolution:—

That in the opinion of this House it is expedient to prohibit the manufacture, importation and sale of intoxicating liquors except for sacramental, medicinal, scientific and mechanical purposes. That the enforcement of such prohibition and such manufacture, importation and sale as may be allowed, shall be by the Dominion Government through specially appointed officers.

Mr. FISHER. After the able statement which has been made by my hon. friend who has just taken his seat, I do not think there is any necessity for me to detain the attention of this House for any great length of time. I shall follow his good example by trying to make the statement

Mr. JAMIESON.

I have to make as short as possible. It has been my good fortune now, for the second time, to second in this Chamber a resolution of this character. When the Dominion Alliance in favor of the prohibition of the liquor traffic, decided on both occasions to have introduced into this Chamber a resolution in favor of prohibition, it was believed to be in the best interest of the cause that the resolution should be moved by some one belonging to the majority in this House, and seconded by some one chosen from the minority. That understanding has been carried out, and it fell to my lot on this occasion, as it did four years ago, to second this motion, in which I am so deeply interested, and with which I sympathise so thoroughly. In the present state of the temperance cause in this country, with the present general acceptance of the necessity of some legislation to restrict the evils which flow from the liquor traffic in this country, I do not think it is necessary to inflict upon this House a temperance lecture, or to prove the evils of the traffic. I find, Sir, that when we are arguing this question in the country those who are opposed to our proposition, do not dare to stand up and deny our assertions in that regard. I find that, as a rule, they acknowledge the evils of intemperance, and only differ from us in the method by which we propose to reduce those evils. Now, I believe that the only way in which the evils of the liquor traffic and the evils of intemperance can be reduced effectively, is by totally and absolutely prohibiting the traffic in, and the use of, liquor in this country. For a long time we have resorted to restrictive legislation of various kinds. We have had license laws passed by the various Provinces differing in degree, but all more or less restrictive of the traffic; and we have found in this country, as it has been found elsewhere, as it can be ascertained by anyone who examines the history of the prohibitory movement throughout the world, that just so far as the liquor traffic is restricted, just so far are the evils flowing from it diminished. Sir, in speaking upon this question four years ago, I dwelt upon this phase of the question at some length, and brought forward certain evidence which I am not going to bring forward to-day, but I believe that at that time the proposition I have just laid down was sufficiently proven. At all events, in the discussion which then took place and in the various criticisms on that discussion I have read in the newspapers, I have not seen that argument combated by those opposed to temperance. I believe in considering this question we as legislators sitting in the House of Commons are not only called upon to act in consequence of the moral obligations which are upon us, as those who are interested in measures to confer any benefit on our fellow human beings, but it is a duty which devolves upon us as legislators to bring about legislation which is in the direct interest of the prosperity and well-being of this country to which we have the honor to belong. In this view and with this idea I contend that it is one of the most important duties that can devolve on any Parliament or any public man that he should do his utmost to remove from the midst of the people he represents, the people for whom he is legislating, this great difficulty which lies in their way towards prosperity and towards a high tone of morality in this country. My hon. friend who has just taken his seat has quoted the opinions of a distinguished statesman. I will recall to the attention of hon. gentlemen that Mr. Gladstone, one of the greatest authorities on questions of high statesmanship and especially upon high moral statesmanship, has contended that it is the duty of the Government as it is the duty of the Legislature to assist the community in all that tends towards good and to remove from the community all which may make towards or which will tend towards evil. And, as I said a little while ago, even those interested in the liquor traffic, even those who profit by it, have receded from the contention that that traffic is good, or that the results of that traffic are not frightful. I am going to make

a little argument on a point which I see is still taken up by those who oppose us in the demand for a prohibitory resolution. I allude to the argument that by such a law we are going to interfere with the legitimate liberty of the individuals. I confess that I look upon this argument as so manifestly absurd that I would not undertake for a moment to deal with it, were it not that I have met with a few honest people who are frightened, by the apparent importance of this argument, from acting with us. As the hon. gentleman who has just taken his seat has stated, we have already interfered with the liberty of the individual. In our various license laws we have prevented individuals from obtaining liquors at certain times and in certain places, we have forbidden the individual, except under certain rules and regulations, from obtaining liquor. It was stated a few minutes ago that in the North-West Territories we have forbidden the traffic in intoxicating liquors, we have absolutely prohibited the importation of intoxicating liquors into those Territories; and I had the testimony only yesterday of a gentleman who represents a portion of those Territories that that has been a good thing in those Territories, and he is in favor of it, and it has had a good effect in those Territories. More than that, the Dominion License Act passed by this Parliament gave the privilege, as far as we could, to an individual polling subdivision to prevent the traffic of intoxicating liquors within its limits. We have for a long time, as all hon. gentlemen who come from the Province of Quebec know, had on the Statute-book of that Province a provision that municipal councils have the privilege of refusing to allow the traffic in intoxicating liquors within their bounds. I am well aware that this will be said not to be a parallel case. I am well aware that while that was only to prohibit the traffic, this resolution is an absolute prohibition not only of the traffic, but of the use. I can, Sir, show a case in which this kind of restriction has already taken place in this country. I can show that we have laws here prohibiting other things besides liquor—prostitution is forbidden, also the carrying of concealed weapons and gambling, and these may be held up as parallel cases to that of intoxicating liquors. But our opponents may say: "It is true these things are forbidden, but it is because they are necessarily and inherently vicious." I have here before me a case in which I can show this House that a thing, which is not in itself in any sense or way necessarily vicious and evil, has been prohibited within certain bounds. By an Act of this House, which gives a charter to the city of Montreal, it is provided:

"The council of the said city shall have power and authority to prohibit the rearing and keeping or feeding of pigs within the limits of the said city or in such sections as the said council shall determine, and to pass a by-law to that purpose, and may impose by such a by-law a fine not exceeding twenty dollars or an imprisonment not exceeding two months, unless such fine be sooner paid, or may impose such fine, with the addition of the said imprisonment for the said offence, as may be deemed expedient."

This legislation is acted upon. The city of Montreal passed a by-law, and by the terms of that by-law they absolutely prohibited within certain sections of that city the keeping of pigs. Hon. gentlemen will know, and I can state positively, being a farmer and one who knows something about the keeping of such stock, that it is quite possible, and it is done, to keep pigs, either in a city or elsewhere, without their being in any sense offensive or causing an interference with sanitary arrangements, and, in fact, they are kept without any evil effect attending them. But here the power is given to a municipal council to prohibit the keeping of those animals within the bounds of that city, not to prohibit their keeping when they have been proved hurtful, when it has been proved that they were a nuisance; but in case they might prove to be a nuisance, the absolute prohibition of the right of any person to keep them within the city is laid down in the clause of the Act I have quoted. I say this is an absolutely analogous case. We are asking here for the

total prohibition of the liquor traffic, not because we say that liquor cannot be used without abuse, not because we say that in any sense or every sense or in all cases liquor is necessarily bad or injurious, but because we have found by public experience in this country as all over the world that wherever liquor is used its use is necessarily attended by abuse, and we found upon that our contention that the necessary consequence is that its use as well as its abuse should be prohibited and forbidden. I contend that the law which I have quoted is a directly analogous case, that if we had the right to do that in Montreal we certainly have the right to do this over the whole Dominion of Canada. Hon. members say that this is a matter of degree; that this question in Montreal may affect only a few people, that it may affect perhaps half a dozen people in the country. But I say that in this country, where the liberties of the individual are so greatly cherished, if an injustice is done to half a dozen it is as great an injustice, and it is as wrongful for Parliament to do anything which would create that injustice, as it would be to do an injustice to nearly one half of the community. And, Sir, it is a mistake to suppose that there is a desire on our part to impose the will of the minority on the majority of the people of this country. We know very well—as everybody knows very well—that no law can be passed and effectively enforced in this country which is not backed by a majority of the people. We are here to-day representing the people of this country; as we represent those people we believe we express their views upon this matter, and that it is in consequence of a majority of those people desiring a thing like this that their representatives in this House insist upon that thing and pass it. But, Sir, there are other questions connected with this matter which I wish shortly to allude to this afternoon. Total prohibition has had discredit cast upon it in consequence of what has been adduced as the failure of local prohibition in this country. Sir, I join issue with those who bring forward that argument, by saying that I do not believe that local prohibition has failed in this country. Speaking from experience in my own county, where local prohibition has been in force for a great many years, I can say that local prohibition has done an immense amount of good there, and that it has been fairly effectively enforced. I am not going to say or pretend that local prohibition has been able absolutely and entirely to stop the sale of liquor in any locality in which it has been adopted. But this I do say in favor of the advocates of local prohibition, that where it has been adopted, where the people of the locality have decided that they wish to have it tried in their midst, they have fairly succeeded in stopping the sale of liquor, whether that sale be licit or illicit, whether it be open or secret. And even where this has not been the case, even where I am not able to say this as boldly as I do, I will not acknowledge that that argument when brought before this House, is a fair justification for the House refusing to pass a totally prohibitory resolution. It is true that the Scott Act has been enforced for some little time, in a large number of the constituencies of this country. It is true that before the Scott Act was in force, the Dunkin Act was in force in some of these constituencies. But both of these measures are defective. The Dunkin Act was defective, and in consequence of the defects of the Act the temperance people of the country came to Parliament and demanded a more effective law. That law was given in the Canada Temperance Act of 1878; and we have found by experience, since that law was adopted in various parts of the country, since the question of jurisdiction was finally decided by the decision of the Privy Council, since the doubts and difficulties regarding the constitutional question which came up in connection with that law have been removed, we have found that there are defects in the details of that law by which it is very difficult indeed for the temperance

people of the country to enforce it. We find a burden has been laid on the advocates of that law which is not laid on the advocates of any other law on the Statute-books of the country. In the case of any ordinary law, the Government of the country has to provide the machinery for its enforcement; that obligation rests upon their shoulders; but no such obligation has been laid upon the Government in the case of the Canada Temperance Act. It is unfortunately the fact that, while the temperance people of the country have approached the Government again and again, and urged them to assume this responsibility of enforcing the Scott Act, as they enforce other laws on the Statute-book, the Government has turned a deaf ear to their demands, has been indifferent to their requests; and more than that, when the temperance people laid before the Government a scheme by which they might, by means of an Order in Council, bring about some help to the temperance people in enforcing that law, the Government disregarded those representations and passed an Order in Council, which, instead of assisting in the more effective enforcement of the law, placed an additional difficulty in the way of those who were trying to enforce it, and to-day we are no better off than we were before. I will not now enter into the question of the duty of the Government in the premises; I will not enlarge upon what I consider to be a disgrace to the people of Canada—that the law upon their Statute-books is not properly enforced by the authorities who are under moral, and I believe legal, obligations to enforce it. But I point out that, if in some localities the Scott Act has not been an absolute success, that condition of things is not due to the temperance people. It is not due to any absolute failure in the principles which are embodied in that law, but it is due to defects in the law which the Government have not seen their way clear to remove or remedy. Now, Sir, great objection has been brought against total prohibition, on the ground that the people of the country are not prepared for it; that we require a stronger moral backing for enforcement of this law than we have got; and in that respect it has been compared with various laws upon the Statute-books. But, Sir, I contend that those analogies are not fair ones. I contend that it is not fair to compare this law with such laws as those against theft or murder or other crimes. But we have on our Statute-books other laws which are directly analogous to this—laws which stand in exactly the same relation to the community as a prohibitory law would. I allude to the license laws of the country particularly, and to the Customs law. But I will not go further than to take the license laws, which are exactly and absolutely parallel in every respect to this question of total prohibition. What are the facts of the case? It has been said that if one man picks another's pockets on the streets, everyone who saw the act would immediately try to arrest the thief and enforce the law against stealing, and that as that is not done in the case of total prohibition, therefore the country is not prepared for this kind of legislation. But I would ask the House if the present license laws of the country will bear any better comparison with, say the law against theft, than the supposed case of total prohibition? I would ask whether any ordinary individual who, say on a Sunday, passes a hotel and sees an open bar-room, would immediately go and inform against the individual who is offending against the law? I would ask if when such a person sees two individuals go into a back room of a country hotel, pay for their liquor and get it and drink it; or, if he should see a minor go to the bar of such a hotel and get liquor from the hotel-keeper and pay his money for it—I would ask if any ordinary individual, seeing any of these infractions of the law, would take upon himself immediately to go and inform upon the law-breaker, and enforce the law? We know only too well he would not; and I could point to many instances within a few hundred yards of where we

Mr. FISHER.

sit, which show that this is not the case, and that day after day, month after month, the license laws of this Province and of other Provinces of the Dominion are broken, and that ordinary individuals do not think it to be their duty to try and enforce these laws. Now, those are exactly analogous cases to what might be supposed to occur under prohibition. They deal with the same class of people, they appeal to the same feelings in the human breast as would be appealed to by a prohibitory law. And yet when we find that those laws are broken, and broken with impunity, every day, those who say we should not pass a prohibitory law because the people are not ready to enforce it, ought in consistency, if they carry out their views to their logical conclusion, to demand the repeal of every license law which is now upon our Statute-books. But no; they are quite ready to have license laws; they are quite ready to allow other people's desire for liberty to be interfered with; but when the question comes home to themselves, and they find that in consequence of a total prohibitory law, they personally will not be able to get the liquor which they think is good for them, while some poor wretch is not allowed to get what he thinks is good for him, then the argument comes home to them, then they are touched in their own persons and their selfish enjoyments, and then they spring to arms and demand that the liberty of the individual shall not be interfered with. Sir, I contend that this is simply class legislation. I contend that the Scott Act, as compared with a total prohibitory law, is a piece of class legislation. It is an Act by which individuals who are not rich enough to buy the liquor wholesale and bring it to their houses cannot get it; but the same individuals who are glad enough to pass that and to acknowledge that partial prohibition is a good thing, when they find that they are not allowed to have liquor under any circumstances, or at any time or place, will not allow prohibition, and they speak against it, and argue against it; but I think that convicts them out of their own mouths. There are another large class in the community who are opposed to a total prohibitory liquor law, those are called Liberal Temperance Unionists. As I have understood their platform, they are quite prepared to forbid strong drinks, but they wish that beer and wines should be allowed; and, certainly, if it is allowable that we should interfere with the liberty of the individual in drinking alcoholic drinks such as brandy and whiskey, we are entitled to interfere with the liberty of the individual just as much in drinking wine and beer, and I think there is an insidious danger in the advocacy of this beer and wine proposition which I warn temperance men against. If beer and wine are allowed to be sold where spirits are not, the result will be to lead to the strengthening in alcohol of those liquors, and they will, in a short time, be even worse than the liquors which those gentlemen propose to prohibit. Unfortunately, one of the greatest dangers in connection with liquor drinking and the traffic is the danger of adulteration, and those liquors are abominably poisoned by almost all the manufacturers and retailers. I believe the adoption of the beer and wine proposition would lead to a further adulteration, and I warn all temperance men against allowing themselves to be led away by such an insidious proposition. There is another point on which I wish to compare the License Act and the Scott Act with a prohibitory law. It is said that a prohibitory law would not be effective, and the license laws are held up as being much preferable. I am going to make a statement which I have thought over very carefully and closely, and which I make after a great deal of personal observation. I say that in the Province of Quebec, with regard to which I speak with personal knowledge, there is just as much illegal sale of liquor in License Act counties as in the Scott Act counties; and in addition to the illegal sale, there is the whole legal sale that is permitted under the License Act. In other

words, I say that the license laws of the Province of Quebec are not one bit better enforced than the Scott Act is in those counties of the Province where it has been adopted. I have a statement from a learned gentleman who is well known to everybody in this House; I speak of Mr. J. J. McLaren, advocate, of Toronto, formerly of Montreal. True, he is a prominent temperance advocate, but is at the same time a gentleman well known for his ability, integrity and character, and a gentleman whose position at the bar of Ontario has given him almost unlimited means of observation in the various parts of that Province where he has been enabled to see the working of the Scott Act and the Crooks Act. Mr. McLaren says exactly the same thing of the Province of Ontario as I say of the Province of Quebec, and he has stated to me his firm conviction that in those counties of Ontario where the Crooke Act is in force, there is just as much liquor sold illegally, to drunkards, to minors, on Sunday, and by people who have not licenses as there is in the Scott Act counties. Those who oppose us contend that the failure of the Scott Act is a reason why no prohibitory law should be passed in this country. They must also propose to work for the abolition of the license laws to be consistent. But I do not believe they wish to do so. I believe as a matter of fact that the restrictive license laws of this country have helped us to restrict the liquor traffic. I believe that by the Scott Act we have been able still further to restrict the traffic, and I believe that when we are able to pass a prohibitory law, it will be but a short time before we shall be able to point to such a reduction in the liquor traffic, and in the use of liquor in this country, as will conduce to immense strides of prosperity in this land, and we shall be able to boast of Canada, not only as the country in which the least liquor is consumed on the face of the earth, as I believe is to-day the case, but as a land in which scarcely any liquor is consumed. Now, before taking my seat, I want to say one or two words about the terms of this resolution. Hon. gentlemen will remember that, in 1884, we passed a resolution in this House somewhat similar to the present one, stating in general terms that it was the duty of Parliament to pass a prohibitory law just as soon as the people of the country are prepared for it. I believed then that the time had come for a prohibitory law in this country; and I believe that the country is still better prepared for prohibition to-day than it was in 1884. But this resolution, while repeating the bald proposition that it is the duty of Parliament to pass this law, goes a little further, and asks that the Government of the Dominion shall be empowered, and that it shall be their duty, to take charge of the manufacture of, and the traffic in, such liquor as may be needed, even under a prohibitory law, for arts, science and manufacturing purposes. Sir, we do not propose this resolution with any desire or intention of conflicting with the local authorities. I am one of those who insisted most strongly, a few years ago, that this Parliament had not the right to deal with licenses for selling liquor in the various Provinces. And this portion of the resolution I believe in no way interferes with that power of the Local Legislatures. Far be it from me to support anything that is going to interfere with provincial rights; but I believe we are perfectly within our competence to say that the manufacture of and dealing in such liquor as shall be necessary shall be carried on by the Dominion Government under the regulations and control of the various Provinces. If the Dominion Government would appoint special officers, whose duty would be to attend to the manufacture and the sale or distribution of these liquors—of course the manufacture would be under the control of the Dominion authorities, as it is to-day, and the sale would be subject to the control of the provincial authorities—if the Dominion Government would appoint officers whose duties it would be to sell the

liquor or distribute it in the various localities throughout the Dominion, these officers would have to be licensed by the local authorities, and be subject to such rules in regard to the distribution of the liquors as the local authorities would choose to impose on them. In this way there would be no conflict between the Dominion and the local authorities. Such conflict I wish to avoid, such conflict I would deeply deplore, because I know well that, in the past, the greatest difficulty in the way of the temperance movement has been the conflict between the constitutional rights of the Dominion and of the local authorities. I wish, therefore, to impress upon the House that this resolution, as it stands, in no way brings about a conflict between the respective rights and privileges of the Legislatures of the Dominion and the various Provinces. I have said that I intend to be brief, and I shall be brief; and I regret that, in consequence of that intention, I cannot deal with this question as fully as its importance would justify and its merits require. I know that, at this period of the Session, all are anxious that we should get through business without delay, and I do not wish to obstruct or interfere with the progress of business, especially as I am well aware this question has been thoroughly discussed and dealt with in all parts of the country. I know it was an important factor in the last general elections, and that it is looked upon by the people as likely to be a great factor in the coming elections, whenever they may occur. I believe we may leave this question now in the hands of the House, to be discussed from every point of view, being convinced that every hon. gentleman will act on this question according to what he believes to be the interests of his people and the opinion of the constituency he represents, and, no doubt, will represent those opinions and interests by the vote he will give on this resolution.

Mr. GIROUARD. I must congratulate the proposer and seconder of this resolution on their perseverance in bringing this important matter to the notice of the House. Its importance is so great that I believe they cannot do so too often. Hon. gentlemen and their friends outside the House believe that the evil of intemperance which we all deplore, can only be cured by prohibition. I, on previous occasions, expressed the opinion that I did not believe in entire prohibition as a remedy for intemperance. I am one of those who believe that the use of beer and of cider, claret and other light wines, is better calculated to make people temperate than entire prohibition. Prohibit, if you like, alcohol, for the history of the world tell us that alcohol is the source of the whole trouble. This question of intemperance, which seems to be a new one in this world, is not at all new in the old one. It was first raised some time after alcohol was introduced into society, about the 13th century. Before that time, drunkenness was known, because beer and wine were known, and drunken men were and have been found at all times; but, until the 16th century, no one expressed the opinion that you could cure a drunken man by prohibition. If you look back to the time of Christ, will you find that our Lord preached prohibition? On the contrary, instead of forcing water upon the company at a wedding, he turned that water into wine. Let us look now at the efforts to suppress intemperance since alcohol was introduced. In the 13th century, a plant was discovered in Africa, which produced alcohol, and was used only for medicinal purposes for nearly 150 years. Its use did not become general, and its effects were not felt; but, about the end of the 15th or the beginning of the 16th century, the discovery was made that alcohol could be produced from grain, and then the use of alcohol became general, especially in Germany and in northern countries. It was not introduced into England until about the beginning of the 18th century, at which period it was also introduced into France, Spain and Italy. Then intemperance became general and alarming, and the

attention of legislators was called to this state of society. Prohibition was introduced from 1524 to 1652 in Brandenburg, Whittenberg, Frankfort and Saxony. It was introduced into Sweden in 1752. The legislatures of these countries, however, had to repeal these prohibitory laws, because it was found that under them, intemperance, instead of decreasing, was increasing. I have before me my authorities for so stating—because I took the trouble during recess to import from Europe three or four volumes on the subject—and all of them prove beyond a shadow of doubt that prohibition was a failure. In Sweden, the Government took possession of the distilleries, but even that was not sufficient to check or stop the evil, and in those countries they had to resort, as they had to in England, France, Spain and Italy, to stricter regulations of the sale of liquors. Statistics show that the use of alcohol increases as the use of light wines decreases. In Paris, from 1854 to 1864, in Marseilles, from 1865 to 1871, alcohol nearly doubled in use and wines decreased in use in about the same proportion. I find in one of these books which I procured, a very singular incident at the very beginning of this social evil. In the year 1581, about the first temperance society was established, under authority of the law, in Hesse (Lefort, page 27). What was the object of that temperance society? Every member of it was allowed to use seven glasses of wine at a meal, and besides all the beer he wanted, but he was not allowed to take a single glass of alcoholic liquor. It is evident, therefore, that the people of those days saw in alcohol the origin of intemperance, and they were in a better position than we are to pass a judgment upon the subject. What has been our experience in the new world? Let us take the statistics of our own country which were produced before the House in 1885. They show that Canada was the most sober country in the world, and also that the Province of Quebec, where, perhaps, more light wines and beer are used than anywhere else in Canada, was the most temperate Province of the Dominion. Prohibition has been introduced in many States in the Union since 1854; in Maine, Rhode Island, Massachusetts, Vermont, Connecticut, Michigan, Iowa, Kansas, Delaware and New Hampshire. The proposer of this resolution mentioned the names of a few of these States, no doubt because in the other States the prohibitory law had to be repealed, having been a failure, as it was in the old world. Look at the Scott Act. I ask any hon. member who knows where the Scott Act is in force, what the experience of the people is in regard to that Act. I think it is generally admitted that it is a failure. The hon. member who has just sat down says that if it did not have the good effect which was expected, that was due to the Government, who refused to introduce the necessary changes to the Act. We have had enough legislation every Session in this House to see that this accusation is altogether groundless. Finally, it has been said that in 1884 this Parliament pledged itself to prohibition. There is a resolution, in fact, in favor of prohibition, but it is with a certain condition which has not been fulfilled. The condition is that prohibition shall be introduced by Parliament so soon as the people of the country pronounce in favor of it. Where are the petitions before the House in favor of prohibition? I have been here at every sitting of the House this Session, and I do not recollect a single petition being presented in favor of such a measure as the one which is before the House. Before taking my seat, I may say that to my mind the question is so simple, and I think it is to every French member of this House, that I do not think it necessary to dwell any longer upon this subject, but I will quote from one of these books, "Intempérance et Misère," in which Mr. Lefort, an eminent member of the Society of Political Economy of France, says (page 229):

" Dans les pays où le législateur a voulu remplir le rôle de moraliste, les effets de la contrainte n'ont pas eu un grand succès, et de l'avis d'un adversaire déclaré de l'intempérance, le Dr. Jolly, en Suède, en

Mr. GIBOUARD.

Prusse et dans quelques Etats de l'Allemagne, le fléau n'a pu encore être conjuré, malgré l'empire des lois."

And on page 270, he says:

" Comme, en effet, l'abus de l'alcool dilué au titre de l'eau-de-vie commune et aromatisé ou non crée beaucoup plus de dangers que le vin, le cidre ou la bière, et comme les ivrognes sont pour la plupart, si ce n'est tous, des buveurs d'alcool, il est urgent de restreindre la consommation des eaux-de-vie au profit de celles des boissons utiles pour la santé, en grevant les premières de droits très lourds et en dégrevant le plus possible les autres."

After making another quotation, I will submit to the House the amendment which I intend to propose to the main resolution. *Frank Leslie's Illustrated Paper* of the 30th May, 1885, says:

" The question of encouraging beer and light wines is not likely to be laughed down or safely ignored. It will make itself heard and demand consideration. Neal Dow's recent statement that ardent spirits were causing more distress in Maine than ever before, coupled with the admitted failure of prohibition in Kansas and Iowa makes it imperative that the problem of drunkenness be re-examined."

I, therefore, move, seconded by Mr. Ward, that all the words after "that" be omitted, and the following substituted therefor:—

This House, while admitting that brandy, gin, whiskey and other alcoholic liquors might be prohibited, is of opinion that the dealing in and sale of ale, porter, lager beer, cider, claret and other light wines, should be exempt from the operation of the Canada Temperance Act.

Mr. ARMSTRONG. I rise to a question of order. I wish to ask if that amendment is really in order. It recommends an amendment to the Canada Temperance Act, commonly known as the Scott Act. It is not an amendment to the resolution before the House.

The DEPUTY SPEAKER. As I understand the resolution, this is really an amendment to the resolution before the House. I think it is relevant to the proposition contained in the resolution.

Mr. FREEMAN. A good deal of apology has been made in reference to the occupying of time on this question, which I think is altogether unnecessary. A great deal of time has been occupied on matters of very much less importance than this great question, and I think a few hours of the time of this House cannot be occupied in a better manner than in discussing this grave question, inasmuch as this country, this whole Dominion of Canada, is waiting to hear what the verdict of this House will be upon this question, and I think it will not be treating the people of the Dominion of Canada with that deference they deserve to be treated with if this matter is got over lightly and without examining it thoroughly. The way in which I look at this question is this: I ask myself, first, is this liquor traffic an evil? That is the great question which we have before us to-day.

Some hon. MEMBERS. No.

Mr. FREEMAN. It is well that those gentlemen who declare that the liquor traffic is not an evil, should have an opportunity of expressing themselves. I had fears that the Dominion of Canada might return a great many members to Parliament who believe that the liquor traffic is not an evil, and I believe that this declaration of theirs will open the eyes of their constituents when they hear it. It will give them a better idea of the views of those members of Parliament when they hear that declaration that the liquor traffic is not an evil. The whole world has come to the conclusion that the liquor traffic is an evil. Show me to-day a man of eminence in this country, or in any other country, who says the liquor traffic is not an evil, and that will be something I never heard of before. It is true that at the commencement of this century there were people who thought the liquor traffic was not an evil, but the advancement of the Christian civilisation of this nineteenth century has opened the dark caverns of this abominable traffic, and has allowed the people to look in and to

see the abominations which are carried on within. Every man who has looked at the matter with an unprejudiced mind, rises up to declare that it is one of the greatest evils that our country is afflicted with. Take that eminent man who visited the city of Ottawa a few days ago, that eminent divine from England, who stands high in the estimation of all philanthropists, of all men of education and of worth, and ask him what the liquor traffic is doing for the people in England? Ask him whether the liquor traffic is an evil, and those gentlemen would stand abashed before him as he gives his answer, as he gave it in Ottawa a few days ago. The most eminent judges have declared that it is an evil, and they speak from personal observation and after studying the statistics of the country, and they declare that it is one of the greatest evils with which the country is afflicted. Now, Sir, the next question which comes to my mind is this: Has this Parliament power to deal with it? I will go further than that, and I will ask: Is it the duty of this Parliament to deal with it? I have before me the decision of an eminent judge of the Supreme Court of the United States, on a case that came before him in an appeal from the Supreme Court in Massachusetts. He declared in the most emphatic language that it is not only the privilege of the Legislature to deal with questions like this, affecting the well-being, the prosperity and the happiness of the people, but that it is the duty of the Legislature to deal with such questions. I agree with that decision, and I say it is the duty of this Parliament to prohibit a traffic which endangers the lives of the people, which destroys the happiness of the people, which jeopardises in fact the very life of the nation; I say it is the duty of this House to step in between the people and this terrible traffic by which they are threatened. Now, the hon. gentleman who spoke last undertook to tell us that you must cure drunkenness with alcohol. Well, Sir, that is an extraordinary proposition, for that is just what his proposition amounts to—that you must cure drunkenness with alcohol, in the form of beer and wine. Well, Sir, take the poor drunkard that you pick up off the street, and give him a dose of alcohol. You may mix it with dirty water just as much as you please, and give it to him and ask him how he feels. What is beer, Sir, but alcohol diluted, and diluted with dirty ingredients? Extract me alcohol out of beer, and what have you left? There is not an hon. member in this House that would drink a drop of it if you were to pay him for it. That is what beer is, and are you going to give the people beer to cure them of drunkenness? But the hon. gentleman says that light wines will also cure drunkenness. I wonder if there is any alcohol in light wines. Give the people light wines and they will not drink alcoholic liquor, says the hon. gentleman. Sir, that is an entire fallacy, it is ridiculous to suppose that drinking light wines will cure drunkenness. If you want to know what beer and light wines are, try them on your boy. Take your little boy, if you please, who has never yet tasted the accursed thing. I would not suppose that you have got them in your house, but take him into one of those corner shops where they are exposed for sale, and treat him with some of this alcohol and see whether he would be willing to drink it. No, Sir, his normal taste will reject it. By-and-bye, if you cultivate that taste, you may get him to love it, perhaps, as well as his father loved it. In his normal condition he will not taste alcohol in any form, but you can educate him to it, and that is the way every drunkard is educated. He gets a taste for liquor and his taste is educated from beer to wine, from wine to brandy, and so on to whiskey, until finally he becomes a drunkard. Now, I say that is just what beer will do, it educates a man to become a drunkard. But you tell me that men do not get drunk in beer houses. I have seen them many a time, and many hon. gentlemen here who have gone into beer houses, must have seen

besotted men sitting around the table drinking beer; and still you tell me that beer does not tend to drunkenness; you tell me that beer does not educate in the use of alcoholic drinks. The hon. gentleman tells us to go to France. Why Sir, there is not a more drunken country, perhaps, in the world, and that is the great country for light wines. If I had time I could produce testimony to prove my statements, the testimony of distinguished Frenchmen. Let me refer to the hon. gentleman to Count Montalembert, and see what he says about drunkenness in France. Then the hon. gentleman tells us that they have adopted a beer law in England. I do not know whether he said it was very successful, but he tried to leave the impression upon the House that the beer law in England was successful. How successful was it? What did Sir Sidney Smith say about it a few months after the law was passed? Why, Sir, he said:

"The new beer bill has begun its operations. Everybody is drunk. Those who are not singing are sprawling. The sovereign people are in a beastly state."

That was the effect of the beer law. No law that has ever passed in England proved a greater failure than the beer law. Recorder Hill, in one of his charges said:

"The establishment of the beer shop is universally denounced as a curse upon the land."

This is the kind of remedy which the hon. gentleman proposes in this country as a cure for drunkenness. The Committee of the House of Lords, in 1840, reported of the beer houses:

"They are notorious for the sale of an inferior article; that the absolute consumption of (ardent) spirits has, from whatever cause, far from diminished."

Here the committee states that through the use of beer the absolute consumption of spirits had "far from diminished." This committee also reported this to Parliament, and I think we ought to place some confidence in their report: "The comforts and morals of the poor have been seriously impaired"—that is through the operations of the beer law. Among the testimony before that committee was that of Chaplain Clay:

"I believe it impossible for human language to describe the misery and wickedness added to the previous sum of our moral and social ills, by beer houses."

Gentlemen, have you any confidence in such testimony as this? If you have, I am sure that you will consider it as, at least, of equal weight, and as equally binding upon your consciences, as the testimony the hon. gentleman has given us. The Lower House of Convocation of the Province of Canterbury, a body having ecclesiastical supervision over a population of fourteen millions, adopted the report of a commission who declared, after an elaborate investigation, that of

"The direct causes of our national intemperance, one of the foremost and most prolific, as it appears to your commission, is the operation of the Legislative Act which called beer houses into existence."

Here are some answers to a number of questions:

"Beer shops the curse of the country."
 "Intemperance much increased since beer shops were introduced some years ago—specially among the young men."
 "I gave ten pounds a year out of my own pocket (a clergyman) to a man for giving up a beer house."
 "The beer houses as present conducted are a social pest" "An unmitigated nuisance."
 "Intemperance decreased previous to, increased since, enactment of the beer shop Act."

There are some hundred answers to questions similar to these, and I need not read any further from them. This is the evidence with respect to beer shops in England. In the United States a beer law was also authorised. They had some weak-kneed temperance men there, holding the same opinion

as the hon. gentleman, who advocated the passing of the beer law. In the United States they did pass such a law. How long did they keep it in force? They passed it twenty years ago, but those far-seeing people knew better than to retain it, and during its third year the law was repealed and we have not heard anything of it since. Instead of a beer law they have been agitating for a prohibitory law, and that is the law to cure intemperance and drunkenness. We have been told that the local option act, the Scott Act, has not been successful here. Those opposed to prohibition say to us: "We have given you a law, but you do not work it; we have given you a law, but you have not made it a success." Have the temperance men had delegated to them the peace and prosperity of this country? Are they responsible for the good order and government of this country, that they should be taunted with not having kept down drunkenness, that they have not lessened the number of men who have entered the poor houses, asylums, work-houses and penitentiaries? Are they to be twitted with the fact that those places are still being filled with the victims of drunkenness, the victims of the liquor traffic, the victims of those places where alcoholic liquors are sold? I say, no. They should not be twitted with that fact. If this law has not been so successful as it might have been, if it has not done all the good it might and ought to have done—and we admit it has not—we can point to half a dozen other laws which have not conferred all the benefit that they were intended to confer. But is that any reason why we should open the flood-gates to intemperance and drunkenness and their attendant evils? I say, no. If this law is not wide enough to accomplish all that it should accomplish, give us a law more likely to be successful, and appliances for working the law so that we may put down this terrible evil. There is no question about the evil. I saw in a Toronto paper the other day that thirty-one poor fellows were brought before the police magistrate on one morning—thirty-one men, thirty-one victims, thirty-one men who probably but for this accursed traffic would have been honest and honorable citizens, holding good positions in society and not disgraced by standing before a police magistrate. Go into any part of our country and see the ravages of intemperance, although I am proud to say that there is less evil of this kind in Canada than in other countries; but go into the homes of the poor and see the wretchedness prevailing there because of drunkenness. See the pauper children, see children without fathers or mothers or guardians. See the misery everywhere around where drunkenness prevails, and tell me whether we should not have a prohibitory law so that this evil may be banished from our midst. Again, as to what the Scott Act has done. It has done a marvellous amount of good in Canada. I am sorry to have to believe that in Ontario and Quebec it has not done the good it has done in the Lower Provinces. I am very sorry to be forced to believe that in all temperance matters the people of the Upper Provinces are far behind us at the sea shore. I am sorry to find it so, but you want more education, and you want a less number of wine and beer temperance men. They are the curse of any cause—those wine and beer people. They say: "Oh, I am a temperance man, I am exceedingly temperate, and I am going to help you to promote temperance." How do they do it? They say the way to make people temperate is to give them beer and wine. I say, no; that is the trouble with you up here, I believe. Out of the seventeen counties in Nova Scotia thirteen have adopted the Scott Act, and in many of them it is working grandly. We are putting down the liquor sellers. In many of the counties there has been very little liquor sold; and there is not a county in Nova Scotia—I would hardly include Halifax, for I must be a little careful here, and I will put Halifax out of the way—I believe there is not one county in Nova Scotia where half the liquor is sold that was sold

Mr. FREEMAN.

when the Scott Act was first passed. We are becoming a teetotal people, an abstaining people, very rapidly. Let me tell you more. The people of Nova Scotia will rise up very shortly and declare that they will have a prohibitory law. Whether you will give it to us or not is another question, but we are going to demand it. Whoever speaks after me as to this Act, and speaks of this law being a failure, must except Nova Scotia. But I am informed by those well able to judge, and when I look at the number of Scott Act counties in Ontario I cannot but believe, that there is a great deal of good, honest temperance sentiment in Ontario, as I hope there is in Quebec. I have read the grand, noble declaration of the clergy of the dominant church in Quebec, and I have read the fulminations of these men, honest, emphatic fulminations against this terrible traffic. I have said to myself that Quebec will come up with Nova Scotia in a very short time, and I am amazed that Quebec is not more forward than she is in this grand work. I have seen the position taken by the clergy of Quebec. I have read their declarations, and I am informed that there is there a little army of prohibition teetotal men who are laboring to put down this abominable traffic, and I am sure their efforts will be successful. I am confident they will be stimulated by the grand work of Cardinal Manning. If I had time I would read the declaration of Cardinal Manning on this terrible evil afflicting England. He has declared that he would be willing to give his life if he could save the lives of the multitude who are running to ruin by following strong drink. I was exceedingly sorry, my heart was pained within me, when I heard an hon. gentleman bring up to-day the name of the blessed Redeemer. What man worthy of the name of a Christian dares to use the name of the blessed Redeemer for any other purpose than for a holy purpose, and, when the hon. gentleman brought in His name in connection with dirty beer and intoxicating wine he must have felt he was sadly in need of something to support his cause. He said that the blessed Redeemer turned water into wine. Our heart would tremble at the idea that the Saviour of mankind, who travelled up and down the world for no other purpose than for benefiting the human race—to say that He, who travelled up and down the world to do the people good, would turn water into the beastly intoxicating liquor such as they have in this country, that takes men's brains away, that destroys their happiness and comfort, that reduces their families to misery and makes them drunkards, of whom He himself declared that they could never enjoy everlasting life; it is a monstrous idea that cannot be entertained, and one that I hope will not prevail among us. Now, Sir, I do not think it would be wise for me to occupy longer the time of the House; I think I have said all I ought to say on this question. I have simply to repeat what I said at the outset, and that is, that the people of this Dominion are anxiously waiting to ascertain what the vote of this House will be on this great question, and I trust that it will be such a vote as the temperance people will approve of. We have heard a great deal since we came here about the waste of money—I use the words which have been used here; and I am sure there is no hon. gentleman in this House but feels that it is cruel and sinful to waste anything which is produced by the hard labor of the people. We have heard the Government accused of this by members on the other side of the House, but I will not deal with that charge one way or the other. We were told to-day that there is expended by the people of the Dominion of Canada no less than forty millions of dollars in strong drink. I presume that is the direct cost of the liquor traffic; I will take that for granted, for I do not know whether it is exactly correct or not. Now, let us add the indirect cost of this traffic. I believe statisticians, and those who try to calculate the indirect loss arising from the use of intoxicating liquors, put it at forty millions of dollars among the five millions of people who inhabit this

Domjion. There you have eighty millions of money thrown away by the people of this country—money worse than wasted—money used for the purpose of disseminating sickness and death, of degrading the people, lowering them in their own estimation, taking away from them the grand position they occupy, as having been created in the image of God, taking away from them the very thing that lifts them above the level of the beasts, destroying their senses and degrading their intellects. I say, Sir, if this is the case, should not we all be interested in this waste of money, this throwing away of the hardly-earned wages of the people. Should not we all be desirous of saving this \$80,000,000 to this country next year, making the country \$80,000,000 richer, and going on from year to year, by passing and properly enforcing a prohibitory law all over this Dominion. Then, Sir, you will hear no more complaints about hard times, no more complaints about the country going down to ruin, no more complaints about farms being mortgaged, but you will find general prosperity amongst all the people by reason of this saving. Besides that you will save an immense amount of labor. Statisticians tell us in a way that we cannot doubt that the use of liquor, not to the extent of drunkenness, but moderately used by laboring men, destroys their labor to a certain extent. The great firm of Ames & Co., of Boston, Mass., who employed 400 workmen, took an account of their own wages and the product of the labor they employed the year after the prohibition law was repealed, and they found that the loss of labor among men who were regularly at work, and were never found to be drunk, amounted to some 14 or 20 per cent., I forget which. The use of liquor takes away the direct power of endurance, it destroys men's intellects, and injures them physically and morally. In consideration of these views I beg to say to the House that I intend to vote for total prohibition; and I beg the hon. gentlemen of this House, and I appeal especially to those temperance men who are a little weak, whether their weakness is in their knees, or in their backs, or in their taste; I beseech them to throw off this weakness, to gird up their loins, and strengthen themselves with the assurance that they will be well rewarded for their vote. I say to them to gird up their loins, to get up a little enthusiasm and vote for this prohibitory liquor resolution. Let it go forth to the people of Canada that this new House voted in favor of a prohibitory law, and, Sir, we will all feel prouder and better for it when we return home.

Mr. CARGILL. I rise to make a few remarks relative to this subject. I may just say that the speaker who preceded me became very enthusiastic, and I think that men who become so enthusiastic are apt to go to extremes. I am not learned in the cause of temperance; I am not well read upon it, and consequently will not be able to favor the House with extracts from eminent authors. I only rise to give my practical experience of the operation of the Scott Act in the county in which I reside, where it was adopted in the year 1885, and where it has been in operation for about two years. Now, my experience as to the operation of the Scott Act is quite the reverse of that of the hon. gentleman who has just taken his seat. If you will allow me to diverge somewhat, in order to explain my connection with the Scott Act, I might say that in the year 1871, I bought a tract of timber from the Ontario Government, known as the Greenock Swamp, in the county of Bruce. Shortly afterwards, I erected mills there for the purpose of manufacturing that timber into lumber. As my business increased, a great many persons in quest of lumber made their way there by rail. There being no hotel accommodation in the place, I was under the necessity of taking these people to my own house and affording them accommodation over night. While there were not too many,

I had no serious objection to doing this, as it afforded me much pleasure to entertain people, especially customers in quest of lumber. But after a time they became so numerous that my house was more like a hotel than a private residence, and consequently I concluded to curtail my business in this line. Finally I sold a site to a party who was anxious to erect a hotel in the place. He went to work, and shortly afterwards had a comfortable hotel erected for the accommodation of the travelling public. For some time the hotel was conducted properly, and every person who had occasion to stop there over night, or at any other time, was well satisfied with the accommodation furnished. I might say that I employ a great number of men in connection with the manufacture of lumber, and as you all know, men employed about a saw mill are addicted to drinking. Shortly after the erection of the hotel a number of those men who had small families frequented it too much, and the hotel keeper also, after a time, became very fond of his glass of liquor; and what was at one time a nice little comfortable hotel for the accommodation of the public was turned into a resort for all the roughest of the locality. Things went on in this way for some time until I became very much annoyed, and I disliked very much to send any person there for a night's lodging. The place gradually grew from bad to worse, and I made a proposition to the proprietor to buy him out. I bought the property, closed it up, and ran it as a temperance hotel for two or three years. There was really no necessity for this because at that time hotels were conducted under the Crooks Act, and I claim that if the Crooks Act had been properly enforced, and if the parties whose duty it was to enforce it had informed on the hotel keepers, there would have been no necessity for the introduction of the Scott Act. The Crooks Act provided that a hotel keeper who furnished liquor to any person who was the worse of it was liable to a fine. However, I found, after making the purchase, that I was not much better off, for my men went to the neighboring hotel and got the worse of liquor there, and carried it home in jugs. So, in the summer of 1884, an agitation arose for the introduction of the Scott Act. I became a very zealous advocate of that Act, and did all I could to further it. We succeeded in carrying the Scott Act in the county of Bruce by a very large majority, although the east riding which I have the honor to represent, gave a very large majority against it. The law came into force on the 1st of May, 1885, and apparently, for a few weeks, the hotel keepers and those engaged in the liquor traffic respected the law. I had frequently occasion to go to the town of Walkerton, and I found the hotels there apparently shut up. In fact, some of them closed their sheds, so as not to give any accommodation to the farmers coming into town. They felt so sore, and regarded the adoption of the Scott Act such a grievance, that they felt justified in closing up their places. For three or four weeks the law was apparently strictly observed; but two or three weeks later, when I was in town, I observed in some of the rooms back of the bar groups of two or three or four persons would be assembled, with glasses on the table, and they were apparently enjoying themselves. I have a great many friends in the town of Walkerton, and although they knew I was a strong Scott Act advocate, they used to ask me in occasionally to take a cigar. I would go into the back room with these gentlemen, and we would find three or four people seated there apparently enjoying themselves. Some would order blue ribbon beer, some would have long pop and some short pop, I, of course, would take a cigar. Those drinks had a very striking resemblance to drinks which were known by other names previous to the introduction of the Scott Act. I would sit there, not very comfortable I assure you, because I had been a party to the adoption of the Scott Act, and I felt that I was then being

a party to its violation. I concluded that I would either have to adopt one course or the other, I would have to refrain from going into such places with my friends or turn my back on the Scott Act. A short time afterwards the hotel keepers began to sell over their bar openly, and I frequently noticed parties who had voted for the Scott Act go up to the bar and take their drinks. Consequently my conscience was considerably relieved, because I then knew that others who had supported the Scott Act were parties to its violation. I might say in connection with this that when municipalities had the power of passing by-laws for the guidance and regulations of hotel keepers, a by-law was passed in my native municipality to the effect that hotel keepers should close their hotels at seven o'clock on Saturday evening, and that they should remain closed until six o'clock on Monday morning. I found, when I had occasion to go where those meetings were held, usually in hotels, that the parties who enacted those laws were the very men who would probably remain there until 9, 10 and 11 o'clock, and drink hot Scotch whiskey. I may say that in June, 1885, a request was made to the county council of Bruce for the appointment of a police magistrate in order to enforce the law. I was the only one of five of the committee who favored the appointment. That was only some six weeks after the adoption of the Scott Act, and I thought it was working very well, and that it was our duty to provide the necessary machinery for enforcing that law. I acted accordingly, although I was the only one of the five who was in favor of making that appointment. The appointment was not made and the hotels have gone on selling liquor in that county. There is as much liquor sold there as was sold previous to the adoption of the Scott Act. The assessment of hotel property has been reduced about 50 per cent., and we obtain no license fee from the hotel keepers. In addition to the hotels, we have innumerable grog shops, scattered over the length and breadth of the county, in which liquor is kept for sale, and there is apparently no law regulating the sale of liquor in Bruce to-day. I claim that things in that county are very much worse than they were previous to the adoption of the Scott Act.

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

After Recess.

IN COMMITTEE—THIRD READINGS.

Bill (No. 74) respecting the Grand Trunk, Georgian Bay and Lake Erie Railway Company.—(Mr. Tisdale.)

Bill (No. 75) respecting the Midland Railway of Canada.—(Mr. Hudspeth.)

Bill (No. 81) to confirm and amend the charter of incorporation of the Témiscouata Railway Company.—(Mr. Grandbois.)

Bill (No. 82) to incorporate the Oshawa Railway and Navigation Company.—(Mr. Smith, Ontario.)

Bill (No. 48) to incorporate the Guarantee and Pension Fund Society of the Dominion Bank.—(Mr. Sutherland.)

Bill (No. 60) further to amend the Act incorporating the Western Assurance Company and other Acts affecting the same.—(Mr. Cockburn.)

Bill (No. 69) to incorporate the Equity Insurance Company.—(Mr. Curran.)

Bill (No. 71) to enable the Freehold Loan and Savings Company to extend their business and for other purposes.—(Mr. Denison.)

Bill (No. 78) to incorporate the Canada Accident and Indemnity Assurance Company.—(Mr. Mulock.)

Mr. CARGILL.

Bill (No. 85) to authorise and provide for the winding up of the Pictou Bank.—(Mr. Tupper.)

Bill (No. 101) respecting the Richelieu and Ontario Navigation Company.—(Mr. Labelle.)

Bill (No. 72) to incorporate the Halifax and West India Steamship Company (Limited).—(Mr. Kenny.)

Bill (No. 49) to incorporate the Upper Columbia Railway Company.—(Mr. Mara.)

Bill (No. 84) respecting the Edmonton and Saskatchewan Land Company (Limited).—(Mr. Scarth.)

Bill (No. 22) to incorporate the Canadian Society of Civil Engineers.—(Mr. Shanly.)

Bill (No. 83) to incorporate the Londonderry Iron Company.—(Mr. Kenny.)

Bill (No. 106) to incorporate the Standard Printing and Publishing Company.—(Mr. McCarthy.)

CANADIAN HORSE INSURANCE COMPANY.

House resolved itself into committee on Bill (No. 88) to incorporate the Canadian Horse Insurance Company.—(Mr. Small.)

(In Committee.)

On the preamble,

Mr. MILLS (Bothwell). I do not see what we have to do with this measure. It is a matter of property and civil rights. It is not a matter of banking and commerce, which is specially relegated to this Parliament.

Sir HECTOR LANGEVIN. It is an insurance company.

Mr. MILLS (Bothwell). It is not a matter with which we have anything to do at all.

Sir HECTOR LANGEVIN. It is the same as the insurance of buildings or ships.

Mr. MILLS (Bothwell). You cannot give this House jurisdiction simply by making the Bill extend to the whole Dominion.

Sir HECTOR LANGEVIN. Insurance companies are under the control of the Dominion.

Mr. MILLS (Bothwell). Some of them are, but it was admitted by the Privy Council that the Provinces had the right to legislate on matters of insurance.

Sir HECTOR LANGEVIN. They may, but we have also the right here.

Bill reported, read the third time and passed.

PROHIBITION OF INTOXICATING LIQUORS.

Mr. CARGILL. Mr. Speaker, when the House adjourned I was speaking of the injurious results of the adoption of the Scott Act in the county of Bruce. I may say that the injurious results thus accruing had the effect of making me change my opinion as to the advisability of retaining the Scott Act. I changed my opinion as to the Scott Act, and since then I have opposed it, and I believe its repeal would now be in the interests of the country. Consequently, I proposed a motion sometime ago, asking leave to introduce a Bill for the repeal of the Scott Act. Some of my constituents allege or insinuate that I changed my opinion on the Scott Act for political reasons. In reply to them I say that legislation is experimental, and when it is introduced and does not produce results anticipated, none who are wise will contend for the retention of such legislation, but should favor its abolition. I am quite satisfied that the results are not what were anticipated, and that they have been injur-

ious, not only to the interests of the temperance cause, but also to the general interests of the country. Some time ago a large majority vote was given in this House, expressing sympathy for the poor people in Ireland and eliciting sympathy for the tenantry of Ireland, who were violating their obligations to their landlords and contending for rights that never existed, while here at home this Government has been a party to the introduction of legislation which interferes with the vested rights of their own citizens. I contend that this traffic has been licensed by the Government of this country, that those people who are engaged in that traffic have vested rights, that hotel keepers have been induced from year to year to go on and erect hotels for the accommodation of the public, with a promise or understanding that their licenses would be renewed from year to year. Brewers and distillers occupy the same position. Legislation introduced for the purpose of interfering with those rights is wrong, and I cannot possibly record my vote in favor of a law which interferes with what I consider are vested rights or will deprive people of the right to use their own property. Some say the manufacture of liquor is not restricted by the Scott Act. I admit that the manufacture of liquor is not restricted, but that is the greatest inconsistency in connection with the Act. The idea of any government restricting the sale of an article, the manufacture of which they encourage. I think it is wrong. There is no more effectual way of destroying an industry than by restricting the sale of the article proposed to be manufactured by that industry. As regards prohibition, the Scott Act means prohibition so far as the sale of liquor is concerned. An opinion has been expressed by members on both sides of the House that the introduction of prohibition should be coupled with compensation. Now, the most profitable crop that is produced by the agricultural community of this country, namely, that of barley, is seriously affected. We know that the Americans are giving their attention to the growth of barley, that that crop is being successfully grown, and that they are now in a position to supply themselves with the barley which they used to import from Canada. There is a duty of ten cents per bushel on Canadian barley, besides the freight charges against us in sending it into the United States. I have always understood that the policy of this Government was to protect and foster the manufacturing industries of this country. That being the case, I cannot understand how they should perpetuate legislation which has been instrumental in crippling one of the most prosperous and most profitable revenue producing industries that we have in this country. Now, in my riding, I know a number of brewers who have been engaged in the business for a number of years. They commenced with a small capital, but by industry and attention to business they succeeded in acquiring properties worth from \$5,000 to \$10,000. Now, by passing such a law, you deprive these people of the use of those breweries for manufacturing beer; you leave them with a pile of bricks and mortar and old machinery that is comparatively useless and of very little value. These people have their families to provide for; they are fellow citizens of our own; they are subjects of Her Majesty; they contribute to the revenue of the country equally with ourselves, and I certainly think it is wrong to deprive them of their legitimate means of making a living without compensating them for the depreciation in the value of their property. I, therefore, think that hon. members of both sides of this House, who represent constituencies which have adopted the Scott Act, will feel respecting this matter the same as I do myself, and will vote for its repeal. Thanking the House for the patient attention they have given to my rambling remarks, and without making further observations, I beg leave to move the following amendment to the amendment:

That all the words after the word "House" in the said resolution be omitted, and in lieu thereof the following words be inserted: Inasmuch as the Canada Temperance Act has not, in those counties in which it has hitherto been in force, resulted in the promotion of the cause of temperance, and obedience to and a general enforcement of the law have not been attained in consequence of public opinion amongst a large portion of the people not being in favor of the said law, the Canada Temperance Act should be repealed.

Mr. JAMIESON. I rise to a point of order. I claim that the amendment to the amendment is not in order. It is not relevant to the subject-matter of the resolution, and in addition to that it is an effort to substitute one Order for another. There is already an Order on the paper—I refer to Order 17 of the Public Bills and Orders—to repeal the Canada Temperance Act, and the amendment to the amendment is simply an effort to substitute it for the present Order under discussion.

Mr. BERGIN. I submit that the motion of my hon. friend is perfectly in order. The motion introduced by the member for Lanark (Mr. Jamieson) is a motion to prohibit the sale of liquor. The Canada Temperance Act is an Act to prevent the sale of liquor, and the motion of my hon. friend is an amendment perfectly relevant, because it is an amendment to repeal an Act prohibiting the sale of liquor. Let me read to the House Mr. Bourinot's dictum on that subject:

"The law on the relevancy of amendments seems now to be that if they are on the same subject-matter with the original motion they are admissible, but not when foreign thereto."

And in a note I find a decision, almost exactly in point, made in the House of Commons of England by Mr. Speaker Brand on the Oaths Act, that it was regular to move an amendment in favor of the Oaths Act on a question re-affirming a resolution restraining Mr. Bradlaugh from taking the oath. I cannot see that there is very much difference between the two cases, and I submit that the amendment is perfectly relevant and, therefore, quite in order.

Mr. FISHER. I think the hon. gentleman has entirely misconceived the grounds of objection to this amendment. It is not only that it is not really relevant to the main motion, but that it is practically bringing forward and putting out of its place on the Order Paper an Order which is there in almost the same terms. The hon. gentleman who has moved this amendment has already on the Order Paper a Bill to repeal the Canada Temperance Act, which has passed its first reading, and is in substance exactly the same as the amendment he now proposes; and I contend that it is out of order to substitute another motion for the consideration of practically the same question as that involved in the Bill on the list of Public Bills and Orders. I think it is not allowable thus to bring forward the motion which stands on the Order Paper among Public Bills and Orders.

Mr. BERGIN. I submit that the objection taken by my hon. friend to the amendment, if it had any force at all, should have been taken to the resolution proposed by the hon. member for Lanark (Mr. Jamieson). It might possibly have applied to that; it cannot possibly apply to the amendment.

Mr. FISHER. I cannot see how my hon. friend could apply that argument to the motion made by the hon. member for Lanark.

Mr. BERGIN. Because it is a motion to amend the Order Paper, and to obtain an opinion of the House in advance on the Bill of my hon. friend which is on the Order Paper.

Mr. JAMIESON. Not at all. I have no Bill on the Order Paper.

Mr. BERGIN. I say it is a motion to anticipate the opinion of the House on the Bill which is on the Order Paper.

Mr. FISHER. The motion of my hon. friend from Lanark is not at all the same as the Bill of the hon member who has moved this sub amendment. My hon. friend from Lanark is proposing an entirely different thing. He is not proposing to repeal the Canada Temperance Act; he is proposing a resolution which would express the opinion of this House in regard to a measure of total prohibition, something quite different from the Canada Temperance Act, not a resolution which would in itself involve a law even on the question of prohibition, although, of course, it would lead to that result. I may say that when the first amendment was proposed this evening, that moved by the hon. member for Jacques Cartier (Mr. Girouard), I examined it to see if it was not out of order, and I feel convinced that it was out of order in consequence of its practically—

Sir JOHN A. MACDONALD. Order. The Speaker has decided that it is in order.

Mr. FISHER. I was merely stating why it was in order, and showing that it was because it did not fulfil the reasons why I say this is not in order. The reason that amendment was in order is that although involving the question proposed by the hon. member for Jacques Cartier, that is to say that wine and beer shall be allowed to be sold in Scott Act counties, it also involves a proposition in regard to the total prohibition of certain kinds of liquor; and the two propositions involved in the first amendment are so inextricably involved in each other in the drafting of that amendment that I could not separate them sufficiently to say it was out of order, and I believe that is the reason it was declared in order. But this amendment of the hon. member for East Bruce, is not sufficiently well drafted that I can escape from the conclusion that it is, in substance, exactly the same as the Bill the hon. gentleman has proposed in this House.

Sir JOHN A. MACDONALD. I should be very sorry if the rules of this House should prevent this motion being brought up, and I must say the restriction the hon. gentleman attempts to establish is rather a new thing to me, although I have been for some little time in Parliament; and I am rather surprised that the hon. gentleman or anyone else, on an important question of this kind, should attempt to limit the discussion. It is the only day we shall have this Session for a discussion, and on this amendment, and the previous one we shall have the whole question brought before the House. Now, it is a very grave question which interests the country in a very marked degree, and there are two kinds of opinions upon it. Some are of the opinion of the mover of the original resolution, that the only cure for the evil complained of is absolute prohibition. Others think that by a reasonable relaxation which would allow the milder kind of beverages to be used in this country, there would be less friction and less opposition to the putting down of the use of the coarser alcoholic stimulants; and others think that the Scott Act is a failure, and that it is infinitely better to sweep it away than to have it a pretext and a supposed means of suppressing intemperance, whereas in operation it has a contrary effect. Well, these three resolutions before the House—

Mr. MILLS (Bothwell). The hon. leader of the House is not speaking to the question of order. He is speaking of the policy of discussing the whole question.

Sir JOHN A. MACDONALD. I was merely stating the effect of the three resolutions.

Mr. MILLS (Bothwell). But he is discussing the propriety of having this original resolution. That is not the point of order.

Sir JOHN A. MACDONALD. Well, I will shorten my remarks and say that this resolution is certainly in order.

Mr. BERGIN.

It states certain reasons why, in the opinion of the mover, the Scott Act should be repealed—that it is noxious and should be repealed. Having given the reason for the repeal in this resolution, it is quite clear that it is not the same proposition as the Bill which the hon. gentleman has before the House, which is a simple enactment to repeal the Scott Act. Here reasons are given for the repeal, and certainly the motion is relevant to the original resolution. The whole three resolutions before the House relate to the use or regulation of intoxicating liquors. I hope, certainly, Mr. Speaker, that the result of your decision will not be to restrict this discussion.

Mr. FISHER. If I might be allowed to say a word in reply to the hon. Minister—

Some hon. MEMBERS. Spoke.

Mr. FISHER. I submit that this amendment is not germane, either to the amendment or the resolution. If it were proposed to repeal or to amend the Canada Temperance Act, that amendment would be appropriate, but that is not the proposition. The proposition is to adopt a measure of prohibition, and this is a measure germane to a totally different matter.

Mr. SPEAKER. The resolution before the House is to affirm, as a broad proposition, that it would be expedient and conducive to the public good to totally prohibit the manufacture, importation and sale of intoxicating liquors. In short, it calls for an expression of opinion from this House in favor of total prohibition. The amendment affirms that the partial prohibition, as provided by the existing temperance law, called "The Canada Temperance Act," with certain modifications to the latter, would be the best thing. To that amendment the hon. member for East Bruce moves, as a sub-amendment, that in the opinion of the House, from the experience that has been had of partial prohibition as provided by the present temperance Act, such prohibitory legislation has been a failure, and such legislation ought to be repealed. May, Parliamentary Practice, page 316, speaking of amendments to questions, says:

"Sometimes the object of an amendment is to present to the House an alternative proposition, either wholly or partially opposed to the original question, and the form of the amendment is here to define as offering the House an opportunity of deciding, in one proceeding, upon the two propositions."

May thus speaks only of two propositions, because, in the English practice, amendments to amendments are unknown. In this case, the amendment to the main motion is partially opposed to it, and the sub-amendment is wholly opposed to it, but both are relevant to the subject matter of the main motion, viz: whether it is advisable to prohibit or allow liquor traffic *in toto* or in part. Thus both carry out the two propositions spoken of by May. The amendment to the main motion, I repeat it, is to the effect that the present Canada Temperance Act, which only partially prohibits the sale of intoxicating liquor, would be better than total prohibition, if amended in a certain measure, and the amendment to the amendment is to the effect that it would be more conducive to the public good to get rid of prohibition entirely. I rule, therefore, that both the amendment and the amendment to the amendment is in order.

Mr. PATTERSON (Essex). The argument which I purpose briefly to advance on the subject of the amendment to the amendment would equally apply to the question of prohibition. I wish, at the outset, to express my respect for, and admiration of, the manner in which the hon. gentlemen in favor of prohibition addressed this House. We all listened with the greatest pleasure to the eloquent speech of the hon. member for Queen's, N. S. (Mr. Freeman); the evident sincerity which characterised his utterances

commanded the respect of the whole House; but those who differ from him and have the courage to express their opinions, as opposed to the views of that hon. gentleman and the hon. member for North Lanark (Mr. Jamieson) are equally entitled to the privilege of being heard, and their sincerity should be equally undoubted. It seems to me that the arguments advanced before recess by the hon. member for East Bruce (Mr. Cargill) were a fair specimen of what may be brought forward by any hon. member who resides in a county in Ontario, or who has intercourse with the residents of a county, in which the Scott Act is in force. For my part, having taken an interest in the subject, and having made enquiries from gentlemen from other Provinces, I am credibly informed, although my friend from Queen's, N. S., has said otherwise, by gentlemen from Nova Scotia, that the Scott Act does not operate satisfactorily in the counties in Nova Scotia where it is in force. I am credibly informed by them that the law is systematically evaded in those counties, not because it is not enforced, but because it is in advance of the public sentiment. For my part I am opposed *in toto* to laws of this character. I think they are an interference with individual liberty; they are an interference with our civil rights; and they belong to a class of legislation of an unhealthy character which tends to destroy the moral fibre of the community. Such legislation has never been successfully attempted in older countries. We have the evidence of distinguished English statesmen and prelates against it. The expression occurs to me of the Anglican Bishop of Peterborough, who, when discussing this subject, said if he had to choose between England sober and England free, he would prefer England free; and he was right, because a nation of free men will not long remain subject to the vice of intemperance.

An hon. MEMBER. Free and drunk.

Mr. PATTERSON (Essex.) If they are free, they will not be drunk. Drunkenness may prevail for a time, but the example of the better class, moral sentiment, religious training, self-respect, all that goes to make up true manhood will force a man to recognise what is for his physical and intellectual good as a Christian. The question is whether the Scott Act has been a success, and, judging from the accumulated evidence from all parts of the Dominion, it has not. I know, speaking of the counties in the vicinity of which I live, Huron, Bruce, Elgin, Kent and Lambton, that in any one of the leading towns of those counties, you can go into any hotel and get all the liquor you want. I have had personal experience of the demoralisation effected where this Act is in force, because men are induced to keep liquor and persuade their friends to drink it, who otherwise would never have kept liquor in their places of business. I know cases where respectable business men have induced their customers to go into private rooms behind their stores, and have produced decanters and glasses in order to show that hospitality which they were debarred from obtaining in a more open and reputable manner. Laws of this character, in which the general feeling of the country is opposed to their enforcement, lower the sentiment of the community in regard to all laws, and men who begin by treating the prohibitory law with disrespect end by disregarding other laws which, for the well-being of society, it is necessary to enforce. In every section of the community where this law is in force, we find men guilty of perjury and subornation of perjury in order to evade the Act and to escape giving full evidence as to the breaches of the Act on the part of themselves or their friends. I am perfectly well aware that the enforcement of the Scott Act is not within the province of the Dominion Government, and I do not pretend to say that any of the Provincial Governments have been lax in their efforts to enforce the Act; but the reason

why it has not been successful, and why no prohibitory law will be successful at present, is that it is contrary to the sentiment of the community in which we live. I admit and deplore, with the gentlemen who have spoken in favor of prohibition, the unfortunate effects which flow from excessive use of intoxicating liquors; but there are other follies and vices which entail misery and disgrace upon the people and upon their posterity which we do not pretend to legislate for. It is impossible to legislate men into a state of virtue. I contend that it would be no more absurd to prevent a child from learning to walk for fear that it should afterwards fall and injure itself than it is to legislate for total prohibition. I think these matters should be left to a man's religious training and the development of his moral sentiment, for it is only by encountering and resisting evil that the moral character can be strengthened. The effect has been hitherto not to strengthen the moral character, but to degrade the character of the community in which the Scott Act is in force. I speak from knowledge of how the Act operates in the counties where it is in force in the western part of Ontario, and I am sure that it is not for the public good that the Act should be continued on our Statute-books. It is a great mistake for people to state that Canada as a rule is a country where people are addicted to excess in intoxicating liquors. I think that is rather the exception than the rule. The statistics on this subject clearly show that there is less intoxicating liquor drunk in Canada, in proportion to its population, than in any other civilised country in the world. There is a certain delicacy felt in speaking on this subject by some hon. gentlemen. They wish to avoid offending the sentiment of a certain active section of the community; but I think when the Act comes to be voted upon again in the counties where it has been adopted, the result will be different. The number of people who voted upon the Act is a very small proportion of the people in those counties. In New Brunswick, up to 1885, there were 7,678 votes polled for the Scott Act in the whole Province, and 2,188 against it, out of a population of 201,000, and the aggregate number of votes on the roll was 32,000; so that less than one-fourth of those on the roll voted in favor of the Scott Act, in the pre-eminently temperance Province of New Brunswick. In Prince Edward Island—and the Act is in force in the whole island—the number of votes cast was 4,900 in favor of the Act, out of a total possible vote of 19,287, a little over one-fourth of the total number. In Nova Scotia 13,700 voted in favor of the Act, out of a possible vote of over 42,000 in the counties in which the Act is in force. In Ontario, the votes cast were 37,500 out of a possible aggregate number of voters of nearly 100,000. This shows that there is a prevailing feeling of indifference on the subject in the several constituencies in which the Act has been voted upon, and that feeling arises from the fact that the people know they can get liquors when the Act is in force, that, if they cannot get them in the taverns, they can have them in their houses, they can get them in bulk, and it leads to a greater amount of social drinking than existed previous to the passing of the Scott Act. The result in those States of the Union where the prohibitory Act has been in force is not such as to induce us to continue this Act further in Canada, where we have our own experience as to its deleterious effects. In Vermont, we find from the *Popular Science Monthly* of May, 1884, the experience which Mr. Edward Johnston has had of its working. He is a gentleman who has devoted much attention to that subject. They have had a prohibitory law in that state for thirty years. He says:

“But the practical operation of this severe and sweeping law, there is the rub. It is a fact that cannot be controverted or denied that, for all practical purposes, the law is an absolute dead letter. According to the returns of the United States revenue officers the Government tax on the manufacture and sale of intoxicating liquors in the State amounted last year to \$14,000 in round numbers. On the same authority, there are in the State at the present time 446 places where intoxicating liquors are sold; and, though the population is well-nigh stationary, there is a

marked increase in the number of these places; last year's returns showing 426, and those for the preceding year only 409. In the city of Burlington there are about three score of places where liquor is sold, and in Rutland, St. Albans, and all the larger towns, a proportional number, and in every village in the State, with the exception of a few inconsiderable hamlets, there is at least one such place. A large proportion of the dram shops are located upon the principal streets, and there is no concealment or attempted concealment of the illegal traffic conducted within them. As these facts and figures sufficiently indicate, the law, broadly speaking, is not at all enforced. The sale of liquor, it is hardly too much to say, is almost as free and open as though there were no such thing as a prohibitory law. The principal exception to the general rule consists of an occasional spasmodic attempt to enforce the law in the larger places, and the fining of liquor dealers on what are termed disclosures. In the latter case, a person arrested for intoxication is compelled to disclose the name of the person from whom he procured the liquor, and that person is then tried for the offence. Such cases are very common, but, as only the lowest class of liquor dealers is concerned in them, generally speaking, and as the prosecution is for a first offence, no effective purpose is served in repressing the liquor traffic. In the larger towns an effort to enforce the law is occasionally made, but such efforts have invariably proved short-lived, and in almost every instance the people have at the earliest opportunity rejected at the polls the officers who have attempted to enforce the law. These are the principal exceptions to the general rule of non-enforcement. Of enforcing the law as the laws against burglary and larceny are enforced, no one dreams for a moment. Such is the unsatisfactory result of Vermont's thirty years experience, of the prohibitory liquor law.

"One might go still further and speak of the perjury and subornation of perjury, for which the law is in a sense responsible, of the disregard and contempt for all law which the operation of this law tends to foster and encourage, and to cognate matters which will occur to the reflective reader; but, perhaps, enough has been said in showing the failure of the law to accomplish the object for which it was enacted."

Now, Maine has been regarded as pre-eminently the temperance state of the Union, but here is what Gail Hamilton says in the *North American Review*, on that subject:

"The actual result is that liquor is sold to all who wish to obtain it in nearly every town in the State. Enforcement of the law seems to have little effect. For the past six years the city of Bangor has practically enjoyed free ram. In more than one hundred places liquor is sold, and no attempt has been made to enforce the law. In Bath, Lewiston, Augusta, and other cities, no real difficulty is experienced in procuring liquor. In Portland, enforcement of the law has been faithfully attempted, yet the liquor traffic flourishes for all classes, from the highest to the lowest. In a journey last summer for hundreds of miles through the cities and through the scattered villages, and hamlets of no names, the almost universal testimony was that you can get liquor enough for bad purposes in bad places, but you cannot get it for good purposes in good places. What works against prohibition adds Gail Hamilton, is that, in the opinion of many of the most earnest total abstinence men, the original Maine law State, after 30 years of prohibition, is no more a temperance State than it was before prohibition was introduced."

Then take the Maine prison report for 1884, which states:

"Intoxication is on the increase; some new legislation must be made if it is to be lessened. In many of our counties prohibition does not seem to affect or prevent it. Prisoners, the report tells us, all say when released, if they can get money, they can get as much drink as they please. In Portland, in 1874, the number of arrests for drunkenness was 2,318. But drunkenness is not confined to the cities. In 1876, when a more than usually vigorous crusade was made against the saloons, the number of prosecutions for infraction of the liquor law was 2,300. Every one of the 16 counties furnished its quota. In four counties the number exceeded 200, in only two was it less than 30. In 1884, the law generally was not so stringently enforced, but every county again furnished its quota."

Mr. Goldwin Smith, in his admirable address on the subject of temperance vs. prohibition, compared the statistics of Maine, in relation to drunkenness, with some of our Canadian counties, very much, as will be seen, to the disadvantage of Maine:

"The number of committals to gaol for drunkenness last year, in the State of Maine, was 1,316 for a population of 648,000, while in Canada the counties of Bruce, Huron, Grey, Simcoe, Dufferin, Wellington, Waterloo, Perth, Oxford, Brant, Wentworth, Lincoln, Haldimand and Welland, none of which were at that time under the Scott Act, with an aggregate population of 661,000, and a town population as large as that of Maine, showed only 593 committals, less than half the number of those in the model state of prohibition. Maine is very far from realising the promise of immunity from crime and vastly enhanced prosperity which prohibitionism holds out. Though the population of the State has been stationary, the statistics of crime have increased. In 1873, the number committed to gaol was 1,548, in 1884 it was 3,072. The pauper rates in the cities is larger than in those of any other state; and between 1850 and 1880, the school attendance decreased by more than 21,000."

Mr. PATTERSON (Essex).

We all respect the evidence of General Neal Dow, who is an eminent life-long temperance man, but he admits with sorrow that the State of Maine is infested with places for the sale of liquor, and he gives as his reason for breaking with the Republican party that it was in complicity with liquor sellers, and had not enforced the law with sufficient vigor. In Kansas, where the prohibition Act was also enforced, Gail Hamilton again says, in the article from which I have been quoting:

"In Kansas, where the most stringent prohibition has been enacted, and has had the inestimable advantage of Governor St. John's fostering care, Doctor Gardner, testified that the drug stores are little more than rum shops, and their number is astonishing. In Pittsburg, a thrifty little town of 4,000 people, he counted 15 drug stores and 20 doctors' signs on the main street."

I believe that the practical effect of the Scott Act, or prohibition, will be simply free trade in liquor, and an inferior kind of liquor. I have learned from officers connected with the Inland Revenue Department that in the counties of Ontario where the Scott Act is in force, more particularly in Gray and Simcoe, they are now distilling from potatoes and other vegetables, an inferior quality of liquor which they are selling at \$5 a gallon; they are selling it raw from the still, with the fusil oil floating in it, and it is known to be a most injurious and destructive quality of spirits. It seems to me that laws like the Scott Act, laws that can be evaded and set at naught, are among the greatest misfortunes that can befall a people, and I think the testimony which I have produced from the various States where similar Acts have been in force, fully justify that opinion on my part. In other States where a prohibitory law has been in force, it has been found necessary to repeal it. It was in force for some years in Michigan, but they repealed it, and a new attempt, on a recent occasion, to reintroduce prohibitory legislation in that State was defeated. While I oppose legislation of this character, I trust that no one will suppose that I do so from any hostility to the spirit which actuates those hon. gentlemen who speak in favor of temperance and sobriety. I know the great necessity of that in this country, but I see that in counties where the Scott Act is not in force, but where liquor is allowed to be sold, regulated by license, the law is treated with more respect, and the moral character of the community is advancing and improving, as regards the excessive use of alcoholic stimulants. The county in which I live, at one time was notorious for the dissipated habits of the better class of the community. At one time the tavern keepers controlled the county, and no man could be elected without their influence. That is all changed. They have lost any influence of that kind, and I do not know of any county in Ontario where there has been a more marked influence on the habits of the people, owing to greater enlightenment, owing to a better example set among the better class of people, and owing to the development of education and intelligence, and the religious and moral sentiment of the people in that county. Take our own Parliament, we are all aware that for years back every successive Parliament has been more sober than its predecessor. Some years ago that could not be said of the Parliament of Canada. But I think we can say now that the members of each successive Parliament are more and more fitted, by their lives and habits, to set an example to the community. All this is not due to the restrictive legislation, but it is the effect of a better moral tone in the country. It appears to me, Mr. Speaker, from my point of view, that in interfering with individual freedom, we are not doing that good which I am quite sure is the object of those gentlemen who promote this legislation in this House, and the large, respectable and influential body of people outside of this House, who favor legislation of a prohibitory character. I believe that their object is most excellent, and that they are actuated by the highest moral motives; but I

think, from my point of view, speaking for myself—I suppose I have the same privilege of expressing my views that the hon. member for Lanark (Mr. Jamieson) has—I think that they are taking a wrong course in interfering with individual liberty in this matter. High license, strict regulations, and seeing that the licenses are in the hands of responsible persons, and that the law as regards the hours for keeping taverns open are properly enforced, would have a better effect on the community than any attempt at coercive legislation, inducing men to evade and disregard the law, and thereby bringing the more important laws of the country into disrespect. As regards the view I have expressed, that this is an interference with individual liberty I have been very much struck with some remarks made by Mr. John Stuart Mill on this subject. He said :

“ There is a limit to the legitimate interference of collective opinion with individual independence ; and to find that limit, and maintain it against encroachment, is as indispensable to a good condition of human affairs as protection against political despotism.

“ There are in our own day gross usurpations upon the liberty of private life actually practised, and still greater ones threatened with some expectation of success, and opinions propounded which assert an unlimited right in the public, not only to prohibit by law everything which it thinks wrong, but to prohibit a number of things which it admits to be innocent. Under the name of preventing intemperance, the people of one English colony, and of nearly half the United States, have been interdicted by law from making any use whatever of fermented drinks, except for medicinal purposes ; for prohibition of their sale is, in fact, as it is intended to be, prohibition of their use.

“ There are questions relating to interference with trade which are essentially questions of liberty ; such as the Maine law. These interferences are objectionable, not as infringements on the liberty of the producer or seller, but on that of the buyer.

“ The acts of an individual may be hurtful to others, or wanting in due consideration for their welfare, without going to the length of violating any of their constituted rights. The offender may then be justly punished by opinion, though not by law.

“ The individual is not accountable to society for his actions, in so far as these concern the interests of no person but himself. Advice, instruction, persuasion, and avoidance by other people if thought necessary by them for their own good, are the only measures by which society can justifiably express its dislike or disapprobation of his conduct.

“ For such actions as are prejudicial to the interests of others the individual is accountable, and may be subjected either to social or legal punishment, if society is of opinion that the one or the other is requisite for its protection.”

I might go on and cite other opinions of great men, all converging to the same view, that it is not in the public interest that prohibitory legislation of this kind should be enforced, and that to arouse the moral sentiment of the community by persuasion, by religious training, by example in the lives of men in high position, is the true method, and the only one by means of which a better state of feeling on the subject of intemperance can be introduced into the community. I am perfectly certain there is no hon. gentleman here who will gainsay my statement that in Canada there has been a great improvement of late years in the habits of the community as regards drinking, and that has not been brought about by legislation of this kind, for, where such an Act is in force, although the better class of the community may respect it, it is not obeyed by the mass of the people, and I have been informed by responsible gentlemen that in the very counties where the Scott Act is in force it is steadily evaded and leads to worse consequences in degrading the habits and injuring the self-respect of the communities affected. I do not wish to occupy the time of the House too long, but I must state that there are numerous instances where town and county councils and where cities in Canada have petitioned for the repeal of this Act, and no later, I think, than yesterday the council of St. Thomas sent in a petition praying for the repeal of the Scott Act, because instead of benefiting it seriously injured the moral character of the people of that city. Such is the feeling throughout the Province of Ontario, and such I am told by gentlemen familiar with the facts is the feeling in the counties of other Provinces where the Act is in force. If this be true, and it is for hon. gentlemen opposite to controvert my statement, then I appeal to this House to say

whether it thinks it is in the public interest that an Act which is not respected and not obeyed should be kept upon the Statute-book of the Dominion. I think not. I think it is for the best interests of the country that we should repeal the Scott Act and leave to the several Provinces of the Dominion the constitutional right to enforce the high license system, if they think that desirable, and by strictly enforcing that system and by seeing that none but men of respectability have the privilege of obtaining licenses, and that the houses are properly conducted, more will be done to benefit the people than by the enforcement of a prohibitory Act or a partially prohibitory Act. Speaking of the opinion of eminent men upon this subject we all will treat with respect what Mr. John Bright has to say in regard to the change in the public habits of gentlemen with whom he has been in the habit of mixing in England. He said, in addressing the House of Commons :

“ There are some members of this House older than I am, but I am old enough to remember, when among those classes with which we are more familiar than with working people, drunkenness was ten or twenty times more common than it is at present. I have been in this House twenty years, and during that time I have often partaken of the hospitality of various members of the House, and I may assert that during the whole of those twenty years, I have no recollection of having seen one single person at any gentleman's table who has been in the condition which would be at all fairly described by saying that he was drunk.

That is not the state of things which prevailed in this country fifty or sixty years ago. We know, therefore, as respects this class of persons, who can always obtain as much of these pernicious articles as they desire to have, because price to them is no object, that temperance has made great way ; and if it were possible now to make all classes in this country as temperate as those of whom I have just spoken, we should be amongst the very soberest nations of the earth.”

In conclusion, I believe that in taking this ground I am acting for the best interests of the people of Canada. I desire to see temperance and sobriety the rule in this country, just as much as does the hon. member for Lanark (Mr. Jamieson), or the hon. member for Brome (Mr. Fisher), or any other gentleman who has taken the opposite side of this question ; but I, for my part, believe it is not by prohibitory legislation, which may prohibit but does not prevent that this desirable end is to be attained, but by leaving these matters to the common sense of the people, to the religious training of their pastors and priests, to the greater development of education and intelligence, and by these means, having kept alive the higher moral sentiments of the people, I have no fear as to our retaining, even in a more eminent degree, our present position as one of the soberest among the nations of the earth.

Mr. MACDONALD (Huron). I wish before the debate closes to express my opinion on the question under discussion this afternoon. It appears that the question has widened out considerably beyond the motion made by the hon. member for Lanark (Mr. Jamieson). It is a question of great importance to this country, no matter what position we take upon it. It is a question that will be pressed upon the legislators by the electorate, whether we consider it calmly and judicially or not. I believe as representatives of five millions of people, we must consider calmly this question, which is a large question involving the interest of the whole people. During the discussion that took place this afternoon some hon. members would lead us to believe that there are not such evils flowing from this traffic as many of us wish to put forward. We are told that frequently lecturers on temperance platforms exaggerate very largely the degradation and misery arising from this traffic throughout the length and breadth of Canada. In order that I might be correct in regard to this matter I put myself in communication with men in different parts of the country, who occupy positions from which they are able to speak with authority in reference to this question, and I purpose this evening, not so much for the benefit of hon. gentlemen here, but for the country at large, to show you by the statistics from these men, that there is a large

amount of evil and great crime arising from this traffic, and that, therefore, as sensible men and representative men, we should at least consider this question in a serious manner. I do not expect that we shall all come to the same conclusion as to the best means of abating this evil or discarding it from the country. But while I admit that there is great room for difference of opinion upon this question, still it is our duty to consult together as reasonable men and hear the opinions of different parties from different standpoints, and find, if possible, some method by which we can stem the torrent of iniquity that is perpetrated in this country through the influence of strong drink. I have examined the report of the Inspector of Prisons for the Province of Ontario, and I find that he has stated in that report that, in 1884, there were 12,081 prisoners imprisoned in the gaols of Ontario, and that, out of that number, no less than 7,502 were imprisoned on account of drunken and disorderly conduct, or for crimes committed by them while under the influence of strong drink. In 1885, there were no less than 11,426 persons imprisoned in these gaols, and out of that number there were 9,001 who were incarcerated for crimes committed by them while under the influence of strong drink, or for disorderly conduct on the streets. And in the three years of 1884-85-86, out of a total imprisonment of 34,152 persons, there were 23,902 imprisoned on account of drunken habits, or 70 per cent. of the entire number. I have consulted also, by letter, the chief of police of the city of London, and in answer he tells me that in the three years 1884-85-86, out of 3,451 commitments in the city of London, no less than 1,772, or over 50 per cent., were caused by the influence of strong drink. I have a report from the chief of police of the city of Quebec, and he tells me that, during those three years, 1,584 persons were imprisoned on account of drunkenness in that city. Now, let us go to the model city of this continent, the church-going city of Toronto, the city of schools and colleges and churches, the city which is known throughout the whole continent as being the best ordered city in Canada. There is not a better ordered city on the continent of America; I might go still further and say that there is not a better ordered city in the civilised world, and yet in that city so well ordered, with its large force of police, Mr. Grassett, chief of police, informs me that during the last three years there were 23,912 commitments in that city, and out of that number 11,786 were committed on account of disorderly and drunken habits, or crimes committed while under the influence of strong drink—49 per cent. of the total number. If I go to Kingston, a city much smaller in population, but a city which is well cared for, and well ordered under the present system of dealing with this traffic, Mr. Harley, chief of police, informs me that out of 1,567 commitments in three years, 1,110 were on account of drunkenness. Let us now go to the city of Montreal. I had the pleasure of a personal interview with the chief of police of that city, but not in a professional way.

Some hon. MEMBERS. Hear, hear.

Mr. MACDONALD (Huron). I interviewed him on this particular subject, and he informed that the commitments in that city are divided into two classes, one being the prisoners who are committed for some crime, and the other being the "protections" who are merely taken in at night for their protection, and are allowed to go in the morning. Giving the years 1884-85-86, 19,037 persons were put in the prisons of the city of Montreal, and out of that number 14,766 were committed on account of drunken and disorderly conduct. Of the "protections" there were 22,151 imprisoned in the lock-ups and police stations in that city, and of these 14,768 were imprisoned on account of drunkenness on the streets. In the three years there were in all 41,188 imprisoned, and of these 29,536 were incarcerated on account of drunken and disorderly habits, or 72 per cent. of the

Mr. MACDONALD (Huron).

entire number. Need we wonder that such a condition of things takes place, when I was informed by the same gentleman that there are no less than 1,008 licensed places for the sale of liquor in that city, besides the unlicensed places where intoxicating liquors are sold. That is to say there was one such place for every 199 inhabitants, and one was incarcerated in prison for every twenty. That is a tale which tells us, I think, that it is highly important that we should consider this question in a serious way, so that we may, if possible, agree upon some line of action which would be in the interests of this country. I also consulted Mr. Massie, superintendent of the Central Prison in Toronto, in regard to the characters of those who have been imprisoned during the years since it has been established. He tells me that out of 495 persons who were committed to that institution in 1886, no less than 461 were entered as being intemperate persons, and out of 8,118 persons who have been imprisoned there since 1874, when it was established by the Local Legislature of Ontario, no less than 6,390 were committed and punished for crimes committed by them while under the influence of strong drink. I consulted also Mr. Reilly, of the Andrew Mercer Reformatory for females in Toronto, and he tells me that out of 156 admitted in 1884, no less than 112 of those poor females were drunkards; that out of 142 admitted in 1885, no less than 94 were of drunken habits; and out of 123 admitted in 1886 no less than 78 were intemperate. He remarks that since 1880, when the institution was established, no less than 1,075 entrants were admitted, and he says they were invariably confirmed drunkards. Still, we are told by some hon. gentlemen that there is no evil arising out of this traffic. I say that if there was such an evil arising from any other source or any other traffic in the world, we would put our heads and our talents together, and devise some method by which this incubus of iniquity should be removed from the shoulders of the Canadian people. I wrote also to the superintendent of the asylum for idiots in Orillia. He tells me that a considerable proportion of the idiots in that institution are children of drunken parents; and the great man who was instrumental in establishing asylums for idiots, the great Dr. Howe, after an investigation in the State of Massachusetts, conducted at the instance of the Government of that State, reported that out of 300 idiots that he had examined, no less than 145 had drunken parents. I consulted another eminent authority, Dr. Daniel Clark, the superintendent of the Toronto asylum who has paid great attention to psychological studies and made a speciality of mental diseases, and he says that there are 7,000 lunatics in the Dominion of Canada, 10 per cent. of whom owe their lunacy directly to intoxicating liquors, which means that there are 700 lunatics in the Dominion from that cause. I wrote also to Dr. Bucke, another celebrated psychologist, the superintendent of the asylum in London, who has devoted a great part of his life to this subject, and whose name is known throughout the length and breadth of the Dominion, and he says that although he does not know any person who has come there through intoxicating liquors, he is sure it constitutes a large factor in the production of lunacy. This being so, what a crime we are committing to allow such a state of iniquity to be established and perpetuated in this country—an evil that entails, not upon this generation, but upon those who succeed the present generation, those great weaknesses and defects. But it is said that we are infringing on personal rights. Before it can be said that in abolishing this evil we are infringing on personal rights, it may be well for us to ask what we regard as our private rights. No man has any right but what the social community in which he is established can give him. No man can claim as a right the exercise of which would interfere with the prosperity and well-being of those around him; and if the people consider that that

which he thinks his right interferes with the well-being and order of society, they are perfectly right in saying it is not his. Again, we are told that prohibition would reduce the revenue largely. I dare say it would; but we can stand it. The hon. Minister of Finance the other night in glowing language, which I admired for its energy and pith, spoke of the great resources of this country, of its gold and silver, of its woods, and its mountains of iron which the wood would melt into pig iron, &c. Now, surely a country possessing such large natural resources as this country, can make provision for the five or six millions that would be taken from us by the abolition of the liquor traffic, in order to restore peace and contentment and social order throughout the length and breadth of this country. There is another question to which I beg leave to refer, that is the Scott Act. My hon. friend from Essex stated that the Scott Act was a total failure in every place in which it had been tried. Now, he does not know that from personal observation and experience. He does not know that it is a failure in the county from which I come. It has been to a large extent a failure, but I place the fault of that failure on the shoulders of the hon. gentlemen on the Treasury benches. When that Act came into force on the 1st of May, 1885, licenses to sell for certain purposes were given to the hotel keepers, the parties who would naturally be inclined to violate the provisions of the Act. We contended that the Government should not place the enforcement of the Scott Act in the hands of its enemies, for whoever knew the enemy of a law to carry it out? I heard another complaint in the county I come from that the inspectors under the McCarthy Act were opposed to the provisions of the Scott Act, and they winked at its violation until the hotel keepers became so bold, knowing that they would not be interfered with, that for a year they sold liquor in almost an open way. But when the matter was taken in hand by the Local Government, and a magistrate and proper inspectors were appointed, then the Scott Act began to work, and is continuing to work as well as we ever expected it would work. We are told to-night that the Dominion Parliament should repeal the Scott Act. Will you take from the municipalities the power to say whether they will have the Scott Act or not? If any of them say: We do not want it, they can repeal it, and if any of them want to put it into execution, they have the power to do so. But we, as the central body, are asked to take from them the only means they have to thwart, as far as they possibly can, the influences of intoxicating liquors in the neighborhood from which I come, and in many other neighborhoods in the Dominion. I believe the Scott Act is violated very largely in East Bruce, and the reason is clear. A large portion of the electorate there consist of Germans who are accustomed to have their beer, and they are bound to have it, whether under the Scott Act or any other Act; but the county as a whole is largely in favor of the Scott Act. The hon. member who proposes the amendment is only speaking of East Bruce, leaving the rest of the county out altogether, and there are more Germans in his riding than in the rest of the county. That is no reason why we should repeal the Scott Act in the whole Dominion, because, forsooth, his little corner of this domain is opposed to its provisions. We are also told that we cannot make men moral by legal enactment. No, we cannot; nor do we strive to do that, but we want moral suasion for the parties tempted throughout the country, and we want legal enactment for the tempters. We want to moralise with the tempted persons to get them away from their habits, but we want at the same time to say to those who are tempting those men that they must not sell or expose for sale those liquors that degrade the people of a country. I am favorable to the continuance of the Scott Act, but if we could get prohibition I would prefer it. I believe there is a strong public sentiment throughout the entire length and breadth of this country that is not felt in this House.

I believe the temperance men do not stand together as they should. I believe the Christian people do not stand together as they should; and the result is that members in this House are, no doubt, governed largely by the votes they have received during their election. If they have received the votes of a certain section opposed to the Scott Act, they endeavor to argue conscientiously, or make us believe, at least, they are conscientious, that it should be repealed and something else established. That is the reason we, as men who look upon the question, not from a party point of view, not on the basis of political exigencies, but on the basis of the conscientious conviction that we are serving our country in the true way by removing this scourge and restoring peace and harmony, by removing these commitments and all the degradations and misery and want that flow from all these centres of misery which I have pointed out—that is the reason why we are in favor of total prohibition. I shall gladly support the resolution of the hon. member for Lanark, because I believe it is neither just nor politic to extend legal protection or sanction to any system that tends to increase crime, to corrupt the social habits, and to destroy the health and lives of our people. I support this resolution on the ground that the whole traffic is a system of crimes and pollutions, which stain the honor of my country, and, therefore, are inimical to the true interest of individuals, physically, morally and religiously.

Mr. CURRAN. I have very few words, indeed, to add to what has already been said on this subject to-night, and to what I have said on a former occasion, but I feel constrained to give a reason for the vote I am about to cast. During the recent elections, we all know this question of prohibition was prominently brought before very many constituencies. In my own city there was a movement made and a pledge sought to be obtained from the candidates, so as to induce them to pronounce positively as to whether they would support prohibitory legislation or not. For my own part, I feel the deepest interest in the temperance cause. I am a member of a total abstinence organisation which has done a vast amount of good in the city of Montreal, and whose members have gone abroad and established total abstinence organisations in other places. I said to those who sought my views upon this subject, that I would be governed by the principles of the body known as the Convention of Irish Catholic Temperance Societies of Montreal and its vicinity, which had promulgated a platform of principles some time before. When I saw that the hon. member for North Lanark had placed a notice upon the paper, I immediately communicated with the secretary of convention, and he transmitted to me a document, which I am now about to read to this House, and which contains the principles by which that body is governed. This is the document which he has forwarded to me, and to which, he informs me, the number of associations which are gathered together under one general convention, still adhere:

"The regular quarterly meeting of the Irish Catholic Temperance Convention held in St. Mary's Hall, Tuesday evening, September 8th, 1885. Delegates from the St. Patrick's, St. Ann's, St. Bridget's and St. Gabriel's T. A. and B. Society were present. The chair was occupied by the Rev. Pastor of St. Mary's. The following report of the special committee on principles was read and unanimously adopted:

"MONTREAL, 8th September, 1885.

"The undersigned beg leave to report the following as the platform of principles necessary to be adopted by this convention:

"1st. This convention is most desirous to forward the cause of temperance in adopting and using all wise and legitimate means to remove the cause of drunkenness.

"2nd. This convention is not prepared to say prohibition would accomplish the desired effect, expecting better results from moral suasion than from extreme legislative measures.

"3rd. That as a means more effective, and more practical, this convention suggest as a common groundwork for united action:

"(a.) A strict licensing system both as regards persons and places.

"(b.) The total separation of the liquor traffic from all other trade.

"(c.) The careful analysis of all liquors, sold and used, to detect adulteration.

"(d.) An effective police system named by the Government, whose business it would be to enforce and stringently carry out the laws governing the sale of liquor.

"The whole respectfully submitted,

"(Signed) REV. M. CALLAGHAN, St. Patrick's Parish,
 "REV. J. STRUBBE, St. Ann's do
 "REV. J. J. SALMON, St. Gabriel's do
 "REV. S. P. LONERGAN, St. Mary's do
 "JAMES J. COSTIGAN, Sec. of Convention."

Under these circumstances, this convention having declared against prohibition, I feel that it is my duty to vote against prohibition. This convention having declared that a strict licensing system, both as to persons and places, is the proper mode for enforcing temperance; this convention having also declared that the spread of drunkenness is best arrested by moral suasion, religious exercises and the carrying out of the admirable system which has prevailed for so many years in those organisations, I cannot see that a measure which is partly prohibitory, such as the Scott Act, which has been spoken of in the course of this debate, and which has been pointed out by those who live in the midst of communities where that Act is in force, to have proved a total failure, should receive our support, and I cannot vote for its continuance as the law of the land. I have very little doubt that, if the principles which are laid down on this platform were effectively carried out, if we had a strict law for analysis of liquors, which are now so thoroughly adulterated that it is impossible to tell what is sold over the counter—if we had such a law, and if we had this programme of the convention carried out in its entirety by a strong police force, active in the discharge of their duty, the result so much desired would be readily obtained. I may be pardoned if, not being desirous of detaining the House any longer, I read one item more from this report, it is as follows:—

"Mr. Curran's M.P., speech in the House of Commons on 18th June, 1885, was referred to, and stated to be in full accord with the spirit of the convention.

"A hearty motion of thanks was passed to Mr. Curran for his many acts of courtesy to the convention and the valuable assistance he had given to its work."

Having made a speech once on this subject, and having met with the approbation of this temperance convention, it will be a wise thing on my part to let well enough alone. I shall vote as I have indicated in the few remarks I have made.

Mr. MILLS. I would like, Sir, to call your attention to the fact on which you have not ruled, that there is on the Order Papers, Bill No. 64 to repeal the Canada Temperance Act, standing in the name of Mr. Cargill, the hon. gentleman who has moved the amendment to the amendment. I submit for your consideration whether it is possible that the hon. gentleman can move as an amendment to the amendment practically a Bill which already stands on the Order Paper, which has been read a first time and which the House has ordered to be read a second time hereafter. If this resolution is voted upon, the House will be called upon, by this amendment to the amendment, to anticipate the principle of the Bill which has been already fixed for another time, and I submit that the hon. gentleman cannot, after having proposed a Bill to the House and had it read a first time, and after the House had ordered it to be read a second time on a certain day, propose as an amendment to the amendment precisely the same matter as he has proposed for the consideration of the House in his Bill.

Mr. FOSTER. I understand that the point of order has already been decided.

Some hon. MEMBERS. No.

Mr. SPEAKER. The point raised by the hon. member is correctly stated. That it is a fact that the House has ordered a certain Bill for the repeal of the Canada Temperance Act, to be read and considered on a certain day; he

Mr. CURRAN,

also correctly states the rule: that questions put down on the Order Paper for consideration at a certain time and in a certain way, must be considered at the time and in the manner specified in the Order Paper; but the questions must be strictly identical and bear on the same facts as well as on the same principle. Here, there are facts stated which are not in the Bill referred to, and on which the House is called upon to give its opinion. The amendment states, first, the following facts:—

"That the Canada Temperance Act has not, in those counties in which it has hitherto been in force, resulted in the promotion of the cause of temperance, and the obedience to and the general enforcement of the law have not been attained, in consequence of public opinion among a large portion of the people not being in favor of the said law."

And then, as a consequence, it goes to affirm that even the Canada Temperance Act, as enacting partial prohibition, should be repealed. I am of opinion that the rule invoked by the hon. member for Bothwell does not apply here. Therefore, I feel bound to adhere to my first ruling. The question being that it would be for the public good to have total prohibition in this country, an hon. member, not being willing to vote on that, moves that partial prohibition with certain amendments would be for the best interests of the country; and another hon. member, considering that, in view of the experience which has been had, this partial prohibition would not be the correct thing for the public good, proposes that we ought to have no law on the matter, that is, that all prohibitory legislation on the subject ought to be wiped out. Although I would like to see that sub-amendment drawn in a better way, I do not think it would be judicious on my part to stop the debate and prevent a vote being taken on the whole question as it stands now before the House.

Mr. FOSTER. I do not intend to trespass at any length on the patience of the House, but, having taken a certain position in reference to the temperance question, both outside and inside of this House, and fearing lest, if I kept silence, my silence might be misconstrued, I beg the attention of the House for a very few moments, in order to state my position in reference to the question which is before us to-night. I should not have asked the House to listen to me if we had simply the original motion to be decided. Upon the general question, upon an abstract resolution such as this, I have had the pleasure of addressing the House before, and I should have been willing to stand by those sentiments which I expressed in 1884, and which I have not seen any reason for changing from that date up to the present time. But to-night we have other questions and other issues besides that before us. It is proposed by one of these amendments that we should make a new move in this country, that we should adopt a different plan from what has hitherto been carried out with reference to the sale of intoxicating liquors. By the first amendment it is proposed that we shall not have total prohibition, neither shall we have local option prohibition, but that we shall have a sort of cross between the two, total prohibition so far as the alcoholic spirituous liquors go, and a license system, I suppose, as far as the fermented liquors go. As far as that proposition is concerned, I may say at once that I am opposed to it. I do not propose to argue it at length, I am opposed to it from conviction, and I am opposed to it because I have very thoroughly studied the question. For a good many years I have given more or less attention to this question, and, as the result of my investigation and of my experience, I do not believe it would conduce to the sobriety of the people or to the enforcement of good honest laws, or to the betterment of this country, to have fermented liquors allowed to be sold in connection with the Canada Temperance Act. So strong an opinion do I hold in reference to that question that I would rather see the Scott Act entirely taken away

from the county in which I live, than to see it retained with this option left and the permission given to sell fermented liquors. I take this ground largely from what has been experienced from the same kind of legislation in Great Britain and in the United States of America. In both countries, these laws have been uttered and acknowledged failures, failures acknowledged not only in the experience of the people themselves, but acknowledged also and spread upon the records by representative committees which have investigated the subject, and have given their conclusions to the world. I suppose, if that amendment were to carry, and in Scott Act counties we were to have wine and beer sold, it is not intended to have them sold without restrictions. Then, every objection which has been urged against the Scott Act, on the ground of lack of enforcement, could be urged against the Scott Act, with this added to it: for lack of enforcement and inability to enforce it. Suppose the Scott Act is in force in a county, and this fermented liquor is to be sold in the county, you are not going to allow it to be sold without restrictions; you are not going to allow it to be sold on Sundays or at all hours of the day or to all classes of the people. There must be the restrictions on the sale as there are now, whether in license counties or in Scott Act counties. Hon. gentlemen say they are opposed to the Scott Act because it cannot be enforced. Will this be enforced any more strictly or faithfully? The very same difficulty would be found that is now found in reference to the enforcement of the Scott Act. My hon. friend from Bruce (Mr. Cargill) gave away the whole question when he stated—and his first proposition proved it as plainly as possible—that on his timber land, where he was carrying on his mill the moment a hotel was put up where liquors were sold, he felt the disadvantage. He had to struggle against the disability from that very moment. Inducements were placed in his vicinity which he would rather not have there. He was then under the Crooks Act, as it is termed, which is the License Act in the Province of Ontario. Let the amendment to the amendment pass, and my hon. friend goes back to the Crooks Act. What was his trouble? The Crooks Act could not be enforced, and so a nuisance was created, and he took sides in favor of substituting the Scott Act for the Crooks Act. But the same non-enforcement and the same disability to which the hon. gentleman was exposed before would occur again when he goes back to the Crooks Act. Any hon. gentleman who argues that the Scott Act should be repealed because it is difficult to enforce it, and who cites examples of non-enforcement, can be met by an hon. gentleman who does not believe in a license law who can state, in regard to any city or town or any district you please, the constant and habitual and well known violations of the License Act itself. Take the city in which we live to-day. Does not everybody know that the Crooks Act in this city is habitually violated? If the argument is good that because a law is violated, therefore we should do away with it, we should do away likewise with the Crooks Act, we should do away with all license Acts. Therefore I say that you will have the very same difficulty that you have to the enforcement of a license law if you allow wine and beer to be sold, and you will have more difficulty, because given a *locus a quo* wine and beer can be sold without difficulty, how are you going to prevent all kinds of liquors from being sold there? You say that under the Scott Act men will go into back rooms and drink at improper hours, against the plain dictates of law; suppose we carry this amendment, will not the same violation of law take place? Will not wine and beer be drunk at improper hours, and with them will not all other intoxicating liquors be drunk? The same difficulty comes in. I am therefore, opposed to that, but I do not propose to argue it any further. I believe that you will have another element of difficulty added to the elements of difficulty that you have already. I want to say one word now with reference

to the argument of my hon. friend about prohibition. I do not know from what he quoted. He quoted from a book which may be very good authority. I should judge, however, from the quotations that it was a book which set out with the design of proving that prohibition was a failure and could not be enforced. To that I have simply two answers to give. First, I give in answer the action of this Parliament in 1873 and 1874, when it sent out commissioners through the different prohibition states who gathered evidence which is better than any evidence which was read by my hon. friend here to-night. They collated evidence, not on one side alone, but on both sides, and brought that to this House, and both in the Senate and House of Commons this evidence was sifted and a favorable report passed and placed in our parliamentary reports. Thus, both Houses of Parliament in this manner give a direct negative to the assertion of my hon. friend, who says that in Vermont, Maine, and other prohibition States prohibition has been a failure. If you say that prohibition is a failure because intoxicating liquor is sold in a prohibition State, I grant it immediately without argument. But I do not allow that prohibition is a failure because every drop of liquor is not destroyed or prevented from being sold. If you applied that canon to the laws of this country, or any other country, you would not be able to keep a single law on the Statute-book. My own opinion is, and I think hon. gentlemen will agree with me, that if there is an evil to be reduced, or an evil to be abolished, and the Legislature sees fit to pass a law for the reduction or abolition of that evil and it is found that the evil still goes on, though in a diminished degree, it is the part of the Legislature not to abolish the law but to see that the law is put in a position to be better enforced and to be better carried out, to strengthen the restrictions, and to strengthen the operating clauses of the law. But besides the answer that this Parliament has given by its commission and report, I give to the hon. gentleman a still more practical answer. He does not live in Vermont, he does not live in Maine, he does not live in Kansas, nor in Iowa. But people do live there, sensible people, intelligent people, people who go to churches, who go to schools, and who know what they are about. Take the State of Maine. There is not a better educated people in the New England States than the people of the State of Maine. There is not a more practical, level-headed people in the United States, than the people of the State of Maine. They have had a prohibitory law for thirty years. My hon. friend reads from Gail Hamilton to show you that there is in the State of Maine a very sink of corruption on account of that prohibitory law. But sensible people, educated people, Christian people, living in the State of Maine, have had that law for thirty years uninterruptedly, have kept it against every opposition, and only three years ago a proposition to imbed it in the constitution of the State was adopted by a larger vote than was brought out in the political elections; it obtained a majority of 40,000 or 50,000. That is a practical answer. The people of the State of Maine ought to know their own business; living there for a generation under the operation of that law they have given their voice about their own business by that immense majority, and made prohibition a part of the constitution of the State. Now, about Kansas, the hon. gentleman does not live in Kansas. My hon. friend from Jacques Cartier (Mr. Girouard) read a casual observation, I think, from *Harper's Weekly*, that the prohibitory law in Kansas was a failure. That was a stray statement. But the people of Kansas know better, even, than the writer in *Harper's Weekly*. They are upon the spot, they have all the evidence before them. That prohibitory law was passed in Kansas in 1881; it came into force in 1882; they have had three general elections in that State since then, and at every one of those elections prohibition was an issue; at the last general election it was a para

mount issue. The law has been strengthened from year to year, and if the House will permit me, I will read to you a statement of the Governor of Kansas, in his last message to the Legislature. Governor Martin stated :

"I stated in my message a year ago that while the law of 1885 embodied some defects, its general results has been very favorable. I have seen no occasion to reverse this judgment. A great reform has certainly been accomplished in Kansas. Intemperance is steadily and surely decreasing. In thousands of houses where want, wretchedness and suffering were once familiar guests, plenty, happiness and contentment now abide. Thousands of women and children are better clothed and fed than they were when the saloons absorbed all the earnings of husbands and fathers. The marvellous material growth of the State during the past six years has been accompanied by an equally marvellous moral progress; and it can be fairly and truthfully asserted that in no portion of the civilised world can a million and a half of people be found who are more temperate than the people of Kansas."

So says the Governor of Kansas, after four or five years' experience with the law, a law which has been reviewed again and again by the people, so far as all its essential principles were concerned. My hon. friend finds fault with prohibition because, as he says, it destroys the moral fibre of the community. My own view with reference to that is this: that whatever is an open and continual temptation to the people of a community from childhood to manhood, tends to sap and destroy the moral fibre of a growing people; and that whatever tends to diminish or put away these open temptations, does not militate against a strong moral fibre in a community, but rather tends to perfect it, to strengthen it, until it becomes strong and sufficient to withstand the temptation by the power that accrues to it from year to year. Now, I said, Mr. Speaker, that I do not intend to argue this question of personal rights. Every hon. gentleman and every person knows that every day his natural rights, so to speak, have to give way to the good of the community. We could not exist as a society otherwise; we could not exist as a country a single year if we did not propose to give up, everyone of us, on certain points, something that is of natural right, so to speak, for the good of the community, for the greater good of the greater number. Now, with reference to this amendment, I am sorry it came up in this way. I should like to have had it fought out on its own merits, but it is here, and we have to meet it. I ask earnestly and honestly of hon. gentlemen on both sides of this House to pause before they take the retrograde step of taking away the Canada Temperance Act from the people, to whom they gave it in 1878. Ever since Confederation began, the temperance people of this country—and they are not all fanatics, they are not all hobbyists, they are not all to be despised; take them man for man in the community, the temperance men of this country are as good as any other class, as loyal and as patriotic. They have in their minds what they think would be a preventive for a great evil. They come to the doors of Parliament and knock there, and ask Parliament to give them a chance to try this great preventive. From 1867 to 1878 they came to this Parliament, and at last, as a measure of compromise, this Parliament said: We cannot give you total prohibition, but we will give you a local option law, which you can use in your own counties, and where the counties are favorable to it, you may try it. And when the counties get tired of it there is a way by which they can get rid of it. Parliament gave them that measure, and I think Parliament did a wise thing when it made that enactment. The people have taken it up and acted upon it. We come to the year 1887, and in the different counties numbering, I think, over 60 that by overwhelming majorities in most cases have adopted the Canada Temperance Act, where is the agitation among the people in those counties to get rid of that Act? Hon. gentlemen talk about the vested rights of the liquor interest. Are there not vested rights in other respects as well? Are there not vested rights when 60 or 70 counties and cities in this

Mr. FOSTER.

country, on the faith of the enactment of Parliament, have put their energies, their powers, their talents, and their money into obtaining for themselves a measure which they believe is good for their homes and good for their communities, and which they can abrogate when they see fit to get rid of it? Is it not taking hold of and interfering with vested rights in a very high and proper sense if we now say: "Although you have accepted this Act, although you have taken it in good faith and expected to enjoy the Act, and we gave you constitutional means of getting rid of it if it did not suit your purposes, we will now step in without leave or license from you and abolish this whole enactment, and leave you where you were in 1878?" I leave that to hon. members as a matter worthy of their consideration. When hon. members are asked to vote for prohibition, in reply they sometimes say: "Well, I have not been instructed by my constituents." Hon. gentlemen are now asked to vote for the repeal of the Scott Act. Have you been instructed by your constituents to vote for its repeal? Have I been instructed by my constituents to vote for its repeal? I have not, and until my constituents should instruct me to vote for the repeal of the Act, I would be very chary in doing so on the evidence at present before us. So I say the people have the legislation we have given them. I do not deny the right of this Parliament to repeal the Act, but I think, in common justice and fairness, we ought to leave it to the people whether they will carry out the Act which they themselves have accepted in good faith, which, if they think it is not for the benefit of the people, according to the best of their judgment, they can abolish at any time. These are my sentiments on this question. I am in favor of total and complete prohibition as giving the maximum of restriction and leaving the minimum of evil. I am in favor of the strictest kind of license, if I cannot get absolute prohibition, as giving what is next to the maximum of restriction in this matter. I am opposed to any retrograde legislation. I would fear the effect upon the country at large if this new Parliament composed of men as good, if not better than any who have before sat in Parliament, taken on the whole, should commence its career by saying to the people that we will sweep away even one of the slightest restrictions which the people believe are to-day around the liquor traffic, which we all agree has contained in it an element of injury to the people. There is just one other point to which I desire to call the attention of the House, and that is the expressions of opinion, the strong expressions of opinions from a section—no, not a section, but from classes of people in this Dominion whose opinion is of weight. Anyone who has watched the moral and religious forces of this country at work within the last six years has seen how those forces have been accelerated and marching on with quickened pace in the direction of complete and total prohibition. You cannot find the utterances of a Presbyterian synod, of a Methodist conference, of a Baptist conference, you cannot find any religious body whose general utterances have not been more or less strongly in favor of restrictions upon the liquor traffic, while nearly all of them have placed on record over and over again, the strongest resolutions of their attachment to the Canada Temperance Act, unless prohibition can be got, and their desire that Parliament will not repeal or interfere with the Act. In to-day's papers, and in the issues for the last two or three days, there are reports of the proceedings of the great conferences that are being held throughout the country, and the strongest resolutions—I will not take up the time of the House by reading them—have been passed by those bodies, setting forth that we pray our legislators at Ottawa not to put their hands upon any legislation which will relax the restrictions on the liquor traffic and militate against what we believe to be for the protection of our homes and the betterment of our

country. There surely is no reason why, in the face of this sentiment, Parliament should repeal the Canada Temperance Act.

Mr. WALDIE. I think it is a reasonable proposition that the people in a locality which passes the Scott Act should know something about its operation; and if there is one county in Canada that knows about this Act more than another it is the county I represent. The Scott Act was carried as a prohibitive measure in 1848. In 1879 it was applied to the county of Halton by a majority of 70 in a very close contest. The case was fully argued from all its different standpoints; its effect upon the interests of the county and the public morals, and it was carried on that occasion. The first year the measure was not so fully enforced as was desirable, as it is desirable that laws of this country should be enforced, and the violations of the law were so numerous that it was supposed the sentiment of the people had entirely changed. It was held that they were prepared to reverse their verdict, and, accordingly, an appeal was made to the people in 1883 to repeal the Act. We heard in that year on public platforms in Halton, all the statements uttered in this House to-night with respect to the inefficiency of prohibitory legislation in other places. What was the result? After a full discussion and after drawing out as large a vote as has ever been polled on an occasion of that kind, the Act was again enacted by a double majority. On the first occasion the majority was 70, on the second occasion it was 140. The Act has been more rigidly enforced from year to year. It is not reasonable to suppose that a measure of this kind can be immediately enforced. There are large numbers of the people who are opposed to such Acts and who evince no interest in their enforcement, and indeed it is more difficult to enforce legislation of this kind than almost any other. What does this Parliament propose to do? Does it propose to repeal Acts because their provisions are violated? Why, it was only the other night we had the statement of the Minister of Customs that he had changed from *ad valorem* to specific duties owing to people committing violations of the law by making false entries of goods and giving false prices, and he proposed to remedy it by placing specific duties on those articles. Now, what this Parliament should do is to make the Scott Act more effective, by such legislation as is required for that purpose. I think that is a reasonable proposition, but it will not be a reasonable proposition at this time to repeal that Act on the supposition that it is not effective, because I can assure the House that the Scott Act is being carried out in nearly every portion of Halton in the most effective manner, excepting in the town of Milton. There is no other part of the country where the Act is not fully enforced, and there is not even an imputation that in the four townships of the county intoxicating liquor is sold. In Milton violations of the law are getting less and less, and I trust they will entirely disappear when the matter is settled by the vote of this House, which I believe will be strongly in favor of prohibition. I will not seek to detain the House at this hour upon the question of temperance. I do not think that would be a proper thing to do, but I wish to read the expression of a body who has formulated their views with regard to the question of the Scott Act in the county of Halton, into a resolution and sent it to me within the last week, and having done so, I will take my seat. This is a copy of a resolution unanimously carried at the annual district meeting of the Milton district of the Niagara Conference of the Methodist Church:

"Resolved, that we, the members of the annual meeting of the Milton District of the Methodist Church, assembled in the town of Burlington, in the county of Halton, May 26th, 1887, and representing about 9,000 members and adherents of the Methodist Church, do hereby express our continued confidence in the Scott Act as the most efficient law on the

statutes of Canada for the suppression and prevention of the evils of the liquor traffic, and our appreciation of the good results of said law in the promotion of sobriety, morality, and good order in this county, where it has been in force during the past five years, and is now being as well enforced as most laws in the land; and we also most emphatically protest against the attempts being made in the Dominion Parliament to repeal or mutilate the said Act; and respectfully pray the Dominion Parliament to pass the amendments desired by the Dominion Alliance as incorporated in the Bill proposed by Mr. Jamieson.

"A. E. RUSS, Chairman,

"JOHN STEWART, District Secretary."

There you have the expressed views of the representatives of nine thousand inhabitants of that county, formulated by one of the most prominent religious bodies in this country. Now, I spent some time in Milton during the elections, and came in from political meetings to hotels there, at late hours on many occasions, and I saw no evidence of any violation of the law; and I was assured by boarders at the hotel, that no liquor was obtainable there. The law is not systematically violated in that place; it is violated, but not systematically violated, and it is not violated in the public houses. I was told that an attempt was made in the town of Oakville to procure liquor, and that the attempt failed. It is not true that the Scott Act is not doing good work, and if it is efficiently enforced it will continue to improve and advance the morality of the community. I may say also that I have some interests in the county of Simcoe, and I am aware that in places in that county where large numbers of men are employed the Act is respected and no liquor is sold. I know that large numbers of men employed in the various saw mills in that county, and the employers of these men desire prohibition. I believe that prohibition will prove a success, a comfort and a blessing to the people, if it is maintained in its integrity by the vote of this House.

Mr. McNEILL. I wish to say one word—

Some hon. MEMBERS. Adjourn, adjourn; twelve o'clock.

Mr. CASEY. Mr. Speaker—

Some hon. MEMBERS. Twelve o'clock.

Sir JOHN A. MACDONALD. As I know that there are some hon. gentlemen who desire to speak on this question, or rather on these questions, and as they are questions of much importance, the discussion of which ought not to be hurried, I will move that the debate be adjourned to be the first Order of the Day after Routine and Private Bills on Monday next.

Mr. LISTER. If the vote is not taken to-night, I think it is doubtful if it is taken this Session.

Some hon. MEMBERS. Why not?

Mr. LISTER. There are a good many members here now who will not be here on Monday.

Sir JOHN A. MACDONALD. That is their affair. If they do not choose to attend to their duties it is their own affair.

Motion agreed to.

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

Motion agreed to, and House adjourned at 12 o'clock.

HOUSE OF COMMONS.

FRIDAY, 10th June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

POSTING PRIVATE BILLS.

Sir HECTOR LANGEVIN moved :

That in view of the advanced period of the Session, Rule 60 be suspended for the remainder of the Session.

He said: This rule has reference to posting up Bills after they have passed the House. As the House will most likely be prorogued on Saturday of next week, there will probably not be time to post the Bills.

Motion agreed to.

EXPROPRIATION OF LANDS.

Mr. THOMPSON moved for leave to introduce Bill (No. 141) to amend the Revised Statutes, chapter 39, respecting Expropriation of Lands. He said: The object of the Bill is to make the procedure under the Court of Claims applicable to the expropriation of lands, instead of the procedure by the Dominion Arbitrators.

Motion agreed to, and Bill read the first time.

PROTECTION OF LABORERS ON BOARD VESSELS.

Mr. AMYOT moved for leave to introduce Bill (No. 142) for the protection of laborers on board vessels. He said: Everybody knows the fearful state into which the harbor of Quebec has been brought by the action of the Ship Laborers' Society, in preventing anybody from working at loading or unloading vessels there, who does not belong to their society, and in compelling everybody who works to work at certain wages, which are very high. The consequence is that ships have ceased to come to the harbor, to the prejudice of the commerce of the country in general, and more especially of Quebec. The existing law, chapter 173 of the Revised Statutes, is quite insufficient to meet the case. Under that law it is very difficult to succeed in a prosecution of the offenders. For example, in the present law the word "unlawful" is used; and as the Ship Laborers' Society is incorporated, and has a right to pass certain by-laws regulating its members in their work, it is very hard to prove before a court that when the society wants to enforce its by-laws it acts unlawfully. This Bill is framed in such a way as to make the act of preventing or trying to prevent anybody from working on board or near vessels, a misdemeanor, and any gathering of more than three people near a vessel before the shore will be a misdemeanor, and the penalty is made very severe. Those who know the state of Quebec harbor, and the large organization of these ship laborers, who have caused almost the ruin of Quebec, know that a strong remedy must be applied, and the Bill is for that purpose. The session is late, but as this is no party question, I hope the Government will assist in passing it, and in that way come to rescue of the city of Quebec, and of commerce generally.

Motion agreed to, and Bill read the first time.

FREDERICTON AND ST. MARY'S RAILWAY
BRIDGE COMPANY.

Sir CHARLES TUPPER moved that, to-morrow, the House resolve itself into Committee to consider the following resolution:—

Sir JOHN A. MACDONALD.

Resolved, That it is expedient to authorise the Governor in Council to advance to the Fredericton and St. Mary's Railway Bridge Company, from time to time, as the work of constructing the undertaking of the company progresses, as certified by the chief engineer of Government railways, sums of money, by way of loan, not exceeding 80 per cent. of the amount expended for such construction, and not exceeding, in the whole, the sum of \$300,000, such loan to be subject to the following conditions: The company to pay interest annually on the amounts advanced, at the rate of four per cent. per annum, and to execute a deed of mortgage to the Crown constituting the loan hereby authorised, a first charge on the undertaking, the company to be entitled to pay off the loan, with interest, at any time within fifteen years from the making of the first advance. The Governor in Council to have power, within five years from the same date, to assume possession of the undertaking, on payment of the difference between the amounts then due to the Government for advances and interest, and the total amount expended by the company, and 10 per cent. on the total so expended, and also to assume such possession in the event of the company failing to carry out the undertaking, as provided by their charter, on payment to the company of the difference between the amount advanced and 80 per cent. of the outlay on the works, when the same are so assumed by the Governor in Council.

Motion agreed to.

THE QUEBEC JUDICIARY.

Mr. THOMPSON moved that, to-morrow, the House resolve itself into Committee to consider the following resolution:—

Resolved, That it is expedient to provide that the salary of an additional Judge of the Superior Court of the Province of Quebec shall be four thousand dollars per annum, and that such salary shall be payable out of any moneys forming part of the Consolidated Revenue Fund of Canada.

He said: This is to provide a salary for a judge at Terrebonne, under an Act of the Legislature of the Province of Quebec.

Motion agreed to.

DEPARTMENT OF TRADE AND COMMERCE.

Sir JOHN A. MACDONALD moved that the House resolve itself into Committee on Bill (No. 7) respecting the Department of Trade and Commerce. He said: The principle of this Bill has been adopted on the second reading, but there are other matters connected with the organisation of the Department, and I shall briefly state what the proposed arrangement is. The Government have come to the conclusion that, with the rapidly and largely increasing trade of Canada, both foreign and domestic, it is necessary, or, at all events, expedient, that there should be a Minister whose time and attention and energy should be applied to the important object of developing and maintaining everything connected with our trade and commerce, whether it be home or foreign trade. Hitherto that branch of the public service has been attended to principally by the Minister of Finance, and it was thought that the time has now arrived when the duties of that branch might be separated. I have had opportunity of discussing this subject with Sir Leonard Tilley, who held the office of Minister of Finance for a good many years, and, I believe, with general acceptance, and his opinion coincided with that of the boards of trade and commerce of all parts of the Dominion, namely, that the duties of this service might properly be separated; that the duties of Minister of Finance should be, as the name indicates, purely financial, such as the charge of revenues, seeing to the balance of expenditure and revenue, and the character of the assets, the money assets of the Dominion. The Minister of Trade and Commerce will take charge of every question in any degree connected with the trade of the country, and all the questions connected with the tariff. Then, as regards the general subject of revenue, the Minister of Finance and the Minister of Trade and Commerce will, in fact, form a Treasury Board. One will consider the question of the tariff purely as a matter of revenue; and the other will consider it

from the standpoint of trade and commerce. The two together will, it is hoped, be a most satisfactory board, attending to that great branch of the public service. This will add a Minister to the present list. On the other hand, we consider that the two Departments of Customs and Inland Revenue are administrative only. They are not suggestive, but administrative, and after the policy of the Government, with respect either to internal revenue or Customs, is settled, the Ministers at the head of these Departments will see that the law is carried out. It is proposed, therefore, that when the re-organisation has commenced, the Minister at the head of Customs and the Minister at the head of Inland Revenue will not be necessarily Cabinet Ministers. They will be political heads, but they need not actually, as a matter of practice, be members of the Cabinet. The intention of the Government in making this alteration, among other things, is to introduce the system which operates well in England, of having certain Departments presided over by political heads, who will thus commence their official career by holding these offices without being, of necessity, members of the Cabinet. This is a proposition, made many years ago, by the hon. member for South Oxford (Sir Richard Cartwright), who suggested that it would be well to introduce this system as soon as might be, and the system of having political secretaries and important officers of the various Departments who would be Ministers, and yet not be, of necessity, members of the Cabinet. It is of considerable importance that the number of Cabinet Ministers should not be increased, that is to say, that every member holding a political office in Parliament should not, *ex necessitate*, be a member of the Cabinet. That would overload a Cabinet, and in that regard would not promote promptness of action; but by this system, young members of Parliament, comparatively young members, who have taken prominent positions in Parliament, can obtain entrance into public life, and commence official training by holding these offices, and after certain probation, if they assert themselves before Parliament, they will, very naturally, be promoted and become Cabinet Ministers. A similar proposition was, I think, made *quo ad* the Department of Justice, years ago, when my hon. friend from East York was at the head of the Government, and it was proposed the Department of Justice would be divided. These propositions, in a modified form, are now before Parliament, under the auspices of my hon. friend, the Minister of Justice. The proposed proposal is, that, when these Acts come into force, the Minister of Customs and the Minister of Inland Revenue shall be members of the Government, and, on appointment, they must seek re-election, and they will have a salary, as it is proposed, of \$5,000 a year. They will go out with the Government, and they will be political personages as much as if they were members of the Cabinet. It is believed that the expense will be diminished after the new Act relating to the Customs and Excise goes into force. It is proposed that the permanent officer under the political head will hold the position of chief clerk, and will have a less salary than the present officers, who are deputy heads and draw salaries of \$3,200 a year each. These two Departments, the Department of Customs and the Department of Excise, which are the Departments furnishing the chief portion of the revenue of the country, will be under the control and supervision of the Minister of Trade and Commerce, who will be the head of the whole of these two Departments, will deal with matters of trade and commerce, and will have the supervision of these two branches; and it is believed that, when they are under one head, there will be a great saving in the way of avoiding the duplication of offices. Now, the Departments of Inland Revenue and of Customs are so separate that they have separate officers in every regard. There is no connection between the two Departments, and it is hoped that, when these two Departments are under the one Minister of Trade and Commerce,

the subordinate officers in very many parts of the country can do the double duty of attending to the Inland Revenue as well as to the Customs. This is shortly the plan of the Government, and I invite the acceptance of the proposition by Parliament.

Sir RICHARD CARTWRIGHT. I think it would be convenient to have a little discussion for the purpose of understanding more clearly what is involved in this measure, and what the hon. gentleman's intentions are. I observe that the hon. gentleman proposes to abolish the two Ministers of Inland Revenue and Customs, and to substitute in their place two officers to be called what? Controllers?

Sir JOHN A. MACDONALD. Controllers.

Sir RICHARD CARTWRIGHT. Controllers, who are to be, as I understand, equivalent to the English Parliamentary Under Secretaries?

Sir JOHN A. MACDONALD. Yes.

Sir RICHARD CARTWRIGHT. And he proposes, in addition, to place these under the Minister of Trade and Commerce?

Sir JOHN A. MACDONALD. Yes.

Sir RICHARD CARTWRIGHT. That is a point which will admit in itself of some argument. In former days, under Sir Alexander Galt and Sir Francis Hincks, the Minister of Finance entirely controlled the Departments of Customs and Excise. They were, in fact, sub-branches of his Department, and I should have thought that *prima facie* they would more properly have been made Under-Secretaries of the Department of Finance than of the Department of Trade and Commerce. I should think it is desirable that the Minister of Finance should be in constant communication with those two officers, and that he should have them to some extent under his control. Of course this is a new departure, and we do not know how it will work, and therefore I offer the opinion under correction; but this officer whom the hon. gentleman proposes to create as Minister of Trade and Commerce will, I suppose, discharge the functions which are discharged in England by the President of the Board of Trade, who has, I think, a parliamentary under-secretary also.

Sir JOHN A. MACDONALD. Yes.

Sir RICHARD CARTWRIGHT. No doubt the hon. gentleman is aware that in England the Chancellor of the Exchequer, to a large extent—in fact, I think, absolutely—controls the Departments of the Inland Revenue and Customs. In this, there is this practical advantage, which I think the hon. gentleman will perceive, that the Minister is in that way probably better able to obtain that close, that minute information touching the working of new taxes which I suppose the Minister of Finance will continue to be responsible for. It is not proposed, as I understand, that the Minister of Trade and Commerce will be responsible for new taxation.

Sir JOHN A. MACDONALD. So far as the policy of the Government is concerned in the maintenance of the balance of trade and the adjustment of the tariff, the Minister of Trade and Commerce will have a great deal to say. With respect to the adjustment of the tariff in regard to the raising of revenue, that will fall within the province of the Minister of Finance, and the hon. gentleman will see that the Minister of Finance and the Minister of Trade and Commerce, together, will, in fact, be a board to govern the whole system of taxation, but one from the trade point of view, and the other from the revenue point of view.

Sir RICHARD CARTWRIGHT. I understand that, of course. The Minister of Trade and Commerce is to be a sort of consulting physician in regard to the policy of taxation, but, in the practical carrying out of this scheme, I

submit that *prima facie* it would be better to connect these two Departments with the Department of Finance than with the Department of Trade and Commerce, in accordance with the English system, which has been thoroughly tested, and which, I believe, has been found satisfactory in its working. I am bound to say that I found—and I dare say the Minister beside the hon. gentleman has found—that there was a practical inconvenience in the Department of Customs and the Department of Inland Revenue being severed as much as they were from the Finance Department. I think in some respects we might have administered the system of taxation better if they had been, as they were in the old time, more closely connected. You cannot exercise the same authority over officials belonging to the Department of another Minister as you can over those in your own Department, and I found—and possibly some of the hon. gentlemen who preceded and succeeded me may have found—that there was considerably more difficulty in obtaining such information, and such minute information, on a variety of points as the Minister of Finance ought to be kept well acquainted with, than under the old system, when these three offices, the Minister of Customs, the Minister of Inland Revenue, and the Minister of Finance were combined in one, as they were before Confederation. I throw this out simply for consideration. This is an altogether new thing. I am not disposed to say that the substitution of an officer having special regard to trade and commerce is not an improvement on the present system of a separate Minister for Customs and for Inland Revenue. We suggested that from this side of the House some time ago, because we thought it was not desirable to multiply Cabinet officers. There is another point of considerable importance as regards the working of this Department of Inland Revenue and Customs to which I call the attention of the House and of the First Minister. Practically speaking, he proposed—and he used the word—to reduce the deputy heads who are now equivalent, I think, to what in England are called the permanent heads of Departments, to the grade of chief clerks.

Sir JOHN A. MACDONALD. Yes.

Sir RICHARD CARTWRIGHT. I seriously doubt whether that will be found to be an improvement. In England the institution of a permanent head of a Department has been found to be of very considerable service. He is, it is true, in the last resort, subject to the authority of the chief of his Department, but, in the English Civil Service, and I hope and believe to a considerable extent in our own Civil Service, these permanent heads of Departments are found not to be so amenable to political pressure as men who occupy merely the status of chief clerks would be. And, in the Inland Revenue Department and Customs Department more particularly, an innumerable number of cases constantly arise in which political pressure is brought to bear upon the political head of the Department to relieve this or that transgressor who has violated the rules of the Department, but who is sound in his political faith. A permanent head is in those cases very much better able to uphold the discipline of the Department and to see that the rules are adhered to than a chief clerk can possibly be. I think the hon. gentlemen may, if they will, recall to mind a number of cases in which they have been pressed to make remissions, and they will see that a permanent head of the Department may be a very useful buffer between themselves and their political friends, which, in my judgment, a chief clerk will certainly not be. The amount of \$400 or \$500 apiece to be saved, is not a matter which the House should consider as compared with securing the services of a thoroughly efficient and permanent head. A political head, of necessity, goes in and out with a change of Ministry, and political heads appointed in this fashion will not remain for any great length of time in one Department;

Sir RICHARD CARTWRIGHT.

and, therefore, I would say that it is all the more necessary that you should have permanent heads, men of position and standing, who might maintain the rules of the Department against all comers. If I understood the hon. gentleman aright, he proposes that the new Minister is not to have a separate department, but is to have the Inland Revenue and Customs, as it were, rolled into one.

Sir JOHN A. MACDONALD. The two branches will be under him.

Sir RICHARD CARTWRIGHT. The hon. gentleman does not propose to give the Minister of Trade and Customs a separate set of officers—

Sir JOHN A. MACDONALD. No.

Sir RICHARD CARTWRIGHT—such as are usually assigned even to Privy Councillors; he will be content with the Inland Revenue and Customs. Then there remains simply the consideration of the question of salary.

Mr. MITCHELL. He must have a separate staff.

Sir RICHARD CARTWRIGHT. Not as I understood the proposition; but if I was wrong, I would like to be corrected on that point.

Sir JOHN A. MACDONALD. For instance, he will have a private secretary, and then he will have a deputy head, and there will be a deputy head over Trade and Commerce; and not improbably one of the present deputy heads will take that position.

Sir RICHARD CARTWRIGHT. We did not hear anything about a deputy head. That will come to mean a considerable additional increased expenditure. If you have a deputy head and a secretary, I am sure that you will find, under one form or another, that some other officials will be found desirable and will be attached. Now, you mean to take a deputy head and call him the deputy head of Trade and Commerce. Well, I doubt whether that will be found as effective as a permanent head in the Department of Excise and the Department of Customs; I doubt considerably, for the reasons I have already stated and which I need not repeat. One other question remains which requires special consideration at our hands at this stage, and that is the question of the scale of salaries. Now, as the hon. gentleman knows very well in England, a great disproportion exists between the salaries of the Cabinet Minister and the under secretary. A Cabinet Minister receives a salary, for the most part, of £5,000 sterling, the under secretary receives a salary of £2,000; in some cases, I think, he only gets £1,200 or £1,500, but I think in no case does the under secretary receive more than £2,000 sterling. The salary the hon. gentleman proposes, \$5,000, is very close to the salary of \$7,000 the Minister receives; and I should have supposed, *prima facie*, that in offices of this kind where the permanent heads of Departments do not, with us, receive, except in the Law Department, more than \$4,000 at the outside, they should, as in England, have been put on the same footing, \$4,000. I am inclined to think for junior members of the House who will not be expected to uphold the dignity of their position as Cabinet Ministers \$4,000 would be quite sufficient remuneration. No doubt the closer you come to the scale of salary of a Cabinet Minister, the more likely is the prize to be fought for by the older members of the party and the hon. gentleman particularly intimated that it was his wish to promote rising talent and give the young men a chance. In that I entirely concur, for my part. I have always believed that it was a defect in our system, seeing that younger members of either political party could hardly expect to reach at one bound, the position of Cabinet Ministers, that they had practically no opportunity to serve an apprenticeship which would have been of great value to them, and also give the Prime Minister an opportunity of ascertaining how far

they were fitted to fill more important offices. That point, also, I will submit for the consideration of the House; for it appears to me, looking at the salaries we give to our permanent heads of Departments, that the salary of a subordinate Minister, who is assigned to what is practically the position of under secretary, might very fairly be put at the same figure. Of course any multiplication of offices at present is to be regretted, and I may remind the House that what I proposed at the time the First Minister alluded to, was a reduction of the number of Cabinet Ministers, from thirteen or fourteen, as they are now, to a very much smaller number, and giving them permanent under secretaries. That was my proposition. I think that thirteen or fourteen Ministers are too great a number for this country, and that number would not have been created but for the fact that our Confederation was brought about by the fusion of two political parties, and in almost every Province these two parties had to be represented; hence the enormous number of Cabinet Ministers which we create for the service of not quite 5,000,000 of people, a number in proportion much greater than those which, I think, are found either in the United States or England. That was the proposition I made, and that is the proposition, which, if I had the power, I would like to see carried out in connection with this measure the hon. gentleman has under consideration.

Mr. MITCHELL. I cannot say that I quite agree with either the proposition submitted by the right hon. gentleman or with the views enunciated, in all particulars, by the hon. gentleman who has just sat down. To my mind this seems equivalent to, not exactly another seat in the Cabinet, but, practically, another Cabinet Minister in Parliament. Now, the hon. gentleman who last spoke, stated very truly, that, at the origin of Confederation, everybody believed that there were more Cabinet Ministers than were necessary for the government of this country. I have never ceased to entertain the opinion myself, and I am of the same opinion now upon that subject that I have been right along—that, instead of increasing the number of Cabinet Ministers in this country, which this Act practically does, we ought to reduce the number. The right hon. gentleman says this is going, practically to reduce the expenses. Why, Sir, we have heard that stated in every proposition that has come before us. Whenever an officer has been created, or a staff enlarged in any direction, it was always going to lessen the expenses of the country. Sir, I can see how this is going very largely to increase the expenses of the country. The hon. gentleman, some years ago, divided up his Department and created four heads of Department under his own administration. We were told then it was going to facilitate public business, going to lead to an economy in the administration of the affairs of the several Departments. But what have we found? In almost every particular the expense has been increased, involving new aids, another staff of clerks, the publication of larger and more extended reports, a staff of waiters and porters, and all the contingencies connected with the several Departments. Why, Sir, the creating of these four departmental heads intensified the expenses of the hon. gentleman's Department. But if the creation of four deputy heads does not increase the expense, why not unite the Inland Revenue and Customs? There is not too much work to be superintended by one head; and if this country is to have sub-heads to administer the practical working affairs of these Departments, as there are now deputy heads, or, as he said, chief clerks, the Minister will still have to do the practical work of the Department. There would be not too much work in the two branches, any more than there is in the two branches of the Fisheries Department. I can see no reason why if there was a union of the two Departments, Inland Revenue and Customs, under one head, why not allow the new Minister

of Trade and Commerce to superintend both Departments, and let the business be administered under the deputy heads as they exist to-day, or as they may be changed and improved upon—because I admit there is great room for improvement, in one of them at all events, and if satisfaction is to be given to the commercial people of this country there is great improvement called for in one of those Departments. I can see where we are going to largely increase the expenses of the country in connection with this new Department. The First Minister, as is his habit when he wants to add to the expenses of the country, and he was followed up to some extent by the hon. gentleman who last spoke, appealed to the practice in England. The practice of a rich old country like England is not in all cases to be adopted as furnishing an example for a young and poor country like Canada. I can see clearly that, if a Minister of Trade and Commerce be appointed, the work of both Departments should be carried out under his superintendence and direction, without increasing the political power of the Government in this House, or by adding practically two members of the Cabinet to the voting power and the influential power of the Government, which already has too much influence in power. These are not needed at all events, and we are going to add to this country, especially when it is in a condition not well able to bear it, owing to the depressed state of trade, a useless expense.

Mr. MILLS (Bothwell). I regret very much that at this very late period of the Session, when the hon. First Minister has already announced the period when prorogation is to take place, that a matter of so much importance as that of reorganising the various Departments of the Government, should now be brought forward. It seems to me that this whole subject is entitled to receive from this House a far greater amount of consideration than it is likely to receive at this moment. We are near the close of the Session, and we are asked to change a system that has been in operation for upwards of twenty years, and to change it upon a statement made by the Prime Minister that has occupied ten or twelve minutes in delivery. I have no objection to such a readjustment of the administrative work of the Government as experience may have pointed out to be necessary. I have no doubt whatever that in carrying on the Government for a period of twenty years many changes have been suggested by experience and practice, which, if adopted, would increase the efficiency of the public service. But I think there are two conditions which it is absolutely necessary to observe in order that any change may be made satisfactory to the country, especially any change at the present moment. The one is that there shall be no increase, at all events, in the number of Ministers; and the second is, that there shall be a large and marked diminution in the expenses of government. It is not possible to have given any attention to the work of administering, to the appropriations that are demanded from us year to year for carrying on the government of the country, without seeing that the public service has been exceedingly inefficient and far more expensive than is at all necessary. I venture to say that in no country as poor as Canada, having as small a population as we have, is there so large an expenditure incurred for administration. I say that might be diminished. I have no doubt whatever that the efficiency of the public service might be increased and the expenditure diminished by almost one-half; and that being the case, it seems to me extraordinary that the Government should come forward at this period to increase the number, if not of the Ministers, of members of Parliament who are to become Ministers, and increase the cost of governing the country. I have no objection to the appointment of a Minister called a Minister of Trade and Commerce. Perhaps that would be an advantage, it cer-

tainly would be of some advantage if the Government were to indicate that they are disposed to place upon any Minister of the Crown the duties which ordinarily devolve on a Minister of Trade and Commerce; but I see no indication in the Bill before us that there is any intention on the part of the Government to create an officer of the Crown who is to discharge those duties. On the contrary, it seems to me there have been demands in the country, demands that are reasonable, for a Minister of Trade and Commerce, and the Government, in order to comply with the feeling of the mercantile classes, are disposed to make the appointment of a Minister whom they call a Minister of Trade and Commerce, and this Minister so appointed and so called, is to undertake the ordinary duties that hitherto have devolved in part on the Minister of Customs, in part on the Minister of Inland Revenue, and in part on the Finance Minister. That is not the work required of a Minister of Trade and Commerce. Some of the duties thus proposed to be performed by that Minister are, no doubt, duties that might be legitimately and properly transferred to the Minister of Trade and Commerce; but unless the Minister of Trade and Commerce is to undertake much more work, and is to do a great deal of work not hitherto done by any Minister, the mercantile classes will not be satisfied, and the Minister of Trade and Commerce will be to the people a fraud and a delusion. Where are our foreign ministers? Where are our consuls? Where are those reports with respect to our trade with other countries which would be required at the hands of such an officer, if we were an independent people? Where are they to come from? What arrangements have the Government made so that English ministers and consuls residing in those countries with which Canada is carrying on trade, will furnish us with such information as is deemed of vital consequence by the people of England? We have not the first indication that the Government have considered the subject in any way whatever. I believe a Minister of Trade and Commerce would be of immense importance to the people of this country. But what communications have the Government had with the Imperial Government on the subject? Have they said: We have trade with Spain, and we want some separate and distinct record of our trade with that country, in order that we may see exactly what our trade is, and what opportunities there are for extension; we want, in fact, to obtain from the ambassadors and consuls in every country with which we have trade, that information which is obtained for the use of the people of England? When the First Minister talked about appointing a Minister of Trade and Commerce, I supposed some steps would be taken to make him really a Minister of Trade and Commerce. But there is not the slightest indication of that intention; but we have an ill-defined Bill from which you cannot tell what the duties of the Minister are to be, and so far from the Government having made up their minds what his duties are to be, they provide in this Bill that the Governor in Council may at any time assign any other duty or power to such Minister and the duties and powers conferred on him may be transferred to any other member of the Privy Council, and so they do not know what duties are to be assigned him. They have assigned him certain duties; they do not know how long they are to remain under his control and be discharged by him, and so they take the power to adjust and re-adjust the departments, and do everything that I suppose the Government have the power of doing at this moment. Now, Mr. Speaker, there is the declaration made by the Minister, that he is going to make two subordinate Ministers, who may or may not be members of the Government. Well, Sir, notwithstanding what has been said by the hon. member for South Oxford (Sir Richard Cartwright), I do not see any reason for doing that in this case. I do not see any particular object the Government are to gain; I do not see any provision that these

Mr. MILLS (Bothwell).

Ministers are to have such duties devolving upon them such as devolve upon the Under Secretaries of State. On the contrary, I say the Controller of Inland Revenue and the Controller of Customs to be appointed under the Bill would not have one of those functions that devolve upon the Under Secretaries of State. Why, Sir, the Under Secretary of State is simply the counterpart of the Minister whose department he represents; he has every duty devolving upon him that devolves upon the Minister as an administrative officer. He takes a seat in one House while the Minister takes his seat in the other, and it is only intended for parliamentary convenience that he should hold such an office. The hon. gentleman's arrangement does not point to anything of that sort. The hon. gentleman proposes to appoint two controllers with duties which are distinct from each other, and from the duties of the Minister of Trade and Commerce, who has wholly distinct duties to discharge. The hon. gentleman says that the duties of the Minister of Trade and Commerce will be suggestive duties; that he will collect information and assist the Government in forming the policy on the subject of trade and commerce. The duties of the Minister of Customs and of the Minister of Inland Revenue now are administrative duties. There may be suggestions growing out of those duties, but they are mainly administrative, and so they will continue to be. Now, I say that any proposition to increase the number of members of Parliament in the Government, whether you put them in the Cabinet or out of the Cabinet, will not give satisfaction to the people of this country; and there can be no doubt that the increase in the number of officers implies a large increase in the expense of the government of this country. When my hon. friend, the member for East York (Mr. Mackenzie), was in the Government, he had charge of the whole policy of the construction of the Canadian Pacific Railway; he had charge of the canals and the public works. The Department of Railways and the Department of Public Works were combined, and he discharged the duties of Prime Minister as well as the administrative duties of these offices. What have you to-day? You have two Ministers for the purpose of administering the duties of those offices. You have the hon. Minister, the member for Compton (Mr. Pope), and you have the hon. Minister the member for Three Rivers (Sir Hector Langevin)—a Minister of Railways and a Minister of Public Works. How is it that the Government do not come down with a proposition to unite those offices? What is the object of keeping them separate? We know that, practically, the duties of the Minister of Railways are confined to the control and management of the Intercolonial Railway. Why, Sir, what extraordinary public works have been undertaken that the Minister of Public Works could not discharge the duties of Minister of Railways at the present time? Everybody knows that he can do so; everybody knows how methodical, how industrious, and how attentive the Minister of Public Works is to his duties; everybody knows that the hon. gentleman is eminently capable of discharging all the duties that devolve on both departments at the present time. Now, Sir, we know why those Departments were separated, and we know that to-day the cost of the Department of Railways is greater than was the cost of both Departments when the hon. member for East York (Mr. Mackenzie) was in office. This Government promised economy to the people of this country, and they told the people of this country years ago, when my hon. friend was in office and had more to do than both Ministers have to do to-day, that his Department was extravagantly managed, and yet the cost of that Department was not so much as the cost of one of these Departments is now. If the hon. gentleman wants to practice economy, if he wants a reorganisation of the Departments, and I admit a reorganisation is possible, with a view of improvement, let him come down with a proposition to unite these two

offices; let us have a Minister of Public Works and Railways instead of having two Ministers for that particular branch of the public service. Let the hon. gentleman unite the duties of Minister of Customs and those of Minister of Inland Revenue and create a Minister of Revenue, because their duties are distinct and independent from those of the Minister of Trade and Commerce, and we will have, not an increase of the number of officers in the public service but a diminution; we will have increased responsibility with more order and method in the conduct of the affairs of the Government—that is, provided we have better men. The hon. gentleman proposes to have two law officers of the Crown. Well, I do not know whether he intends this as a reflection on the Minister of Justice, but I suppose that the hon. gentleman knows that confidence is a plant of slow growth, and the hon. gentleman may not give unlimited confidence to his Minister of Justice. Now, the hon. gentleman knows that he fought with a great deal of vigor and a great deal of fire the proposition made by the leader of the Opposition when he was on that side of the House to create an Attorney General. The hon. gentleman disapproved of the office, and said that it was altogether unnecessary to have such an officer. He fought that proposition vigorously, and he was assisted by the hon. the leader of the left Centre. The hon. gentleman who leads the Left Centre, is consistent to-day.

Mr. MITCHELL. I was always consistent and economical.

Mr. MILLS (Bothwell). But the hon. gentleman who leads the Government is not; he now thinks it is necessary to have two law officers. Well, his proposition is wholly different from that made by the leader of the Opposition when he was on that side, because the leader of the Opposition did propose to confer important duties on the Attorney General. The hon. gentleman proposes to confer duties that are of no importance, and that can be as well discharged outside as inside of Parliament. The only thing he proposes is to create a Solicitor General, to provide a place for some supporter of the Government in the House, and further tamper and interfere with the independence of Parliament by increasing the number of those who are dependent upon the Administration. Why, Sir, a year or two ago we had timber limits, and coal mines, and all sorts of matters of that kind, under the control of the Government, by which the influence of the Government might be extended over the House. That means of influence is gone; it has lost its attraction for members of Parliament; it has proved illusory. Men who grasped at large fortunes found they did not get them, except in a few instances, and the hon. gentleman now undertakes to increase the influence of the Government in another way. He proposes to increase the number of Ministers by a rearrangement, a readjustment of the Public Departments. Well, Sir, I am opposed to the hon. gentleman's propositions. They are not those which the public interests require; they may be those which the hon. gentleman's interests require. They are not those that would commend themselves, in my opinion, to the people of this country. They increase the expense of government when the Government ought to put forward every possible effort to diminish that expense. They increase the inefficiency of the public service by increasing the number of officers, without defining what the duties of those officers are. Why, the hon. gentleman, it is clear from the provisions of the Bill, has not sufficiently considered the subject to know what duties he will assign to his Minister of Commerce. I am not going into the details of this measure; I am discussing the general features of the propositions, and the other Bills relating to the readjustment of the Public Departments. I will consider those when the House goes into committee upon them, but I say we might readjust the Public Departments and have a

Minister of Commerce with advantage, without increasing the number of the Ministers of the Crown, and at the same time diminish the cost of administering the affairs of this country by 50 per cent.

Motion agreed to, and House resolved itself into Committee.

(In the Committee.)

On section 2,

Sir RICHARD CARTWRIGHT. That tends to the creation of a department in full force.

Sir JOHN A. MACDONALD. There must be a deputy for the Minister, who can take the place of the Minister and exercise the same authority administratively when necessary.

Mr. JONES. The hon. gentleman stated that, taking into consideration the whole question, there would be a reduction rather than an increase in expenditure in consequence of this change. It would be satisfactory to the House if the hon. gentleman would furnish us with an estimate approximating to the anticipated expenditure under the proposed change. There is no disposition on this side of the House to object to any changes that are manifestly in the public interest, provided they are not accompanied with a large increase of the public expenditure. I must confess my inability to understand how such an important change can be brought about without a corresponding increase in expenditure. It may be a great advantage to rearrange the Departments, but I think the hon. member for Bothwell has pointed out very clearly that all those advantages might be secured by amalgamating the Departments of Customs and Inland Revenue in one, and the Departments of Public Works and Railways in another. I think the public mind has been somewhat prepared for a change of that kind, considering the decreased railway expenditure now under the control of the Railway Department. If the hon. gentleman could give us an approximate idea of what the increased expenditures would be, I think it would facilitate the discussion of this Bill.

Sir JOHN A. MACDONALD. I think that discussion would come up more properly on the Bill respecting the Departments of Customs and Inland Revenue. When that Bill is before the House, it can be considered how far those two Departments can be joined together. The only suggestion made is that the Inland Revenue Department and the Department of Customs can be united. This measure is in effect doing that, by appointing a Minister of Trade and Commerce. The hon. member for Bothwell says we have not defined what that Minister is to do. The very name indicates what he is to do. He is to attend to everything connected with trade, foreign or domestic. He is to attend to everything connected with commerce in its widest signification, as having a wider scope than the word trade. He will have to look after all the arrangements for the steamship lines which have been and will be subsidised for the purpose of opening and developing foreign commerce. Then, the hon. member for Bothwell says we have not provided in the Bill for our consuls; why should we not have arranged with Her Majesty's Government for having consuls. That will be the special duty, one would say, of the Minister of Trade and Commerce, when he is seeking for the extension of Canadian commerce with foreign countries, to see that the aid of Her Majesty is obtained. We desire to have a Minister of Trade and Commerce whose attention will not be given to mere pound-shillings-and-pence matters, which belong to the duties of the Minister of Finance, but whose mind will be devoted to considering the various means of developing and extending and protecting our commerce. And I am proud to say,

what perhaps the hon. gentleman is not aware of, that Her Majesty's consuls all over the world are instructed to report on the best means of developing the trade of every one of Her Majesty's colonies. We receive continually, and it is published in the *Canadian Gazette*, information from the different consuls and consular agents of the Imperial Government, acting as well for the advancement of colonial trade as that of the Mother Country. I do not see how the hon. gentleman can object, in the present position of Canada as a commercial and manufacturing country, to our having a Minister of Trade and Commerce whose duties will be altogether severed from those of the Minister of Finance.

Mr. MILLS (Bothwell). Hear, hear.

Sir JOHN A. MACDONALD. Then we agree. When we come to discuss the other Bill, we can discuss how far the Departments of Customs and of Inland Revenue ought to be under the Minister of Trade and Commerce, and how far they ought to be amalgamated, with a view of saving expense. In the meantime, I am very glad to find that hon. gentlemen opposite think we ought to have this Department. It is said there will be a large staff. I do not see that follows. There must be a deputy, and one of the deputy heads of the Customs or Inland Revenue Department will most likely be appointed to that office. Then, as there is not very much departmental work for the Minister of Trade and Commerce, he need not have a large clerical staff. He can utilise the officers of the Customs and the Excise at headquarters, and I believe that the result of putting those two branches of the public service under the control of the Department of Trade and Commerce will be that the amount of clerical staff can be greatly decreased at headquarters. With separate deputy heads, these two Departments of Customs and Inland Revenue are just as much severed from each other as the Departments of Customs and Justice.

Mr. MILLS. Not necessarily.

Sir JOHN A. MACDONALD. They are both branches of the public revenue, and I believe that, with one Minister having them both under his supervision, having them both under his eye every day, he can arrange so that this severance, this complete severance may be avoided, and that the number of clerks under those two Departments at headquarters may be considerably diminished. If it is proved that the efficiency of the public service requires a large clerical staff, we must have it, as the hon. gentleman knows that expense is a secondary consideration when compared with efficiency; but I believe there can be equal and increased efficiency, when those two Departments are under one Minister, with a less amount of clerical assistance, than under the present system. It is an experiment. Whether hon. gentlemen opposite or we be in power, it is the interest of every Administration to try and earn public applause, if nothing else, by an economical and efficient administration of affairs. No Government has any great interest in filling offices with too large a staff of employes. But, to return to what I was speaking of just now, I believe that this system of putting those two great branches of revenue, foreign and domestic, under the Minister of Trade and Commerce, will greatly tend to the efficiency of those two Departments and to the diminution of expense.

Mr. DAVIES (P.E.I.) The hon. gentleman has, I must say, rather skilfully evaded the very pointed question put by the hon. member for Halifax (Mr. Jones). He wished to know whether the hon. gentleman had fully considered the question of expense, and whether he was prepared to give this House a statement of what the increase would be. The hon. gentleman treats the question of expense very lightly, and intimates that he hopes to have efficiency but not economy.

Sir JOHN A. MACDONALD.

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

Mr. DAVIES (P.E.I.) The hon. gentleman evaded giving a direct answer to my hon. friend. There are some branches of the subject before us on which, of course, I would not give an opinion with great confidence. I suppose those who have been Ministers of the Crown are more competent to discuss certain branches of the question, but there are other branches which, I think, even the humblest intellect can clearly understand. Anyone who takes up the Public Accounts can see that each Department costs from \$24,000 to \$150,000 a year. Those who have, as I have, watched for years the working of the Departments, find that so far from an attempt being made, when a new Department is created, to economise in any direction, the efforts of every subordinate—I speak not of the heads—are to enlarge the sphere of the Department as much as possible, and to make it as important, so far as expenditure is concerned, as possible. This new Minister of Trade and Commerce will have his deputy, of course, and his staff corresponding to his position and Department.

Sir JOHN A. MACDONALD. I said not.

Mr. DAVIES (P.E.I.) I did not understand the hon. gentleman to say no. My hon. friend asked him to define the duties. He answered that the name defined the duties. That reminds me of the story of a gentleman who asked what the duties of an archdeacon were. "Why," was the answer given, "an archdeacon is a man who performs archidiaconal functions." I oppose this change chiefly because I believe it will add very largely, yearly, to the expenses of the country. My short experience has taught me that, as soon as a department is created, whether it be a new department, or a division of an existing Department, the two divisions make haste to bring their expenditure up to an amount equal to that of any other Department. They seem to think that they will occupy an inferior position unless their expenditure is as great as the expenditure in the other Departments. There may be an advantage in having a Minister of Trade and Commerce who will devote special attention to that branch of the service, but it seems to me we could have had that without increasing the expenditure. The hon. gentleman could have merged the Departments of Customs and Inland Revenue into one; he could have had a Minister of Revenue alone who would have control of both Inland Revenue and Customs. The hon. gentleman then could have had his Minister of Trade and Commerce, who would devote himself to the higher branches, and to relieve the Minister of Finance from that portion of the work from which he is to be relieved. That could be done without any increase in the service. The two staffs are there, the one in the Inland Revenue, and the other in the Customs. The hon. gentleman has not said why that course was not adopted. It is a simple one, one to which there can be no objection. The hon. gentleman not having offered any objection to it, I assume there are none to offer. The hon. gentleman proposes to adopt the system of appointing Under Secretaries of State. So far as I am able to judge, I think a movement in that direction would be of no small service.

Sir JOHN A. MACDONALD. Hear.

Mr. DAVIES (P.E.I.) But to do that the hon. gentleman ought to reorganise the whole service. If it were reorganised as it could be; if he had the firmness to put his hand to the work, no man could do it better—from his long experience we will concede that—a fewer number of Ministers would carry on the work efficiently, provided they had a sufficient number of under secretaries. This would give good training to young men, who, instead of being pitchforked into the seats of Cabinet Ministers, would be put in the subordinate positions of under secretaries. But the hon. gentleman has not taken that course. He could have carved out six or seven Departments of State with six or seven Ministers con-

trolling them, and then have his Under Secretaries. The system he thinks a good one would be introduced, and there would be no increase of expense. But it appears to me that the hon. gentleman does not seem to care very much whether the cost to the country is increased or not; and, of all times, it seems to me that this is the time when our energies may well be devoted to the reduction of the expense, to the reduction of all unnecessary expense, while, instead of that, propositions are made from day to day the ultimate result of which can only be to increase that expenditure without, as far as I can see, increasing the efficiency of the service. I venture to say that two years will not go over our heads without our finding the new Minister having a complete staff, as my hon. friend from Northumberland has said, from the deputy head to a doorkeeper, chief clerks, first-class clerks, and all the officers who belong to one of the great Departments. We were told a year or two ago, when the hon. gentleman divided the Department of Public Works and Railways, that it was because we were engaged in the construction of the Canadian Pacific Railway, and that the magnitude of the work was such as to require the entire energy of one man and of one mind. There was something to be said for that, and the House agreed to the proposition, and the Department of Railways was created and was separated from the Department of Public Works. The reason which existed then has ceased now, but is it proposed to make those two Departments into one? Not at all. The work connected with the Canadian Pacific Railway has ceased; the work which the new Minister was to supervise and control is at an end. The hon. gentleman certainly has still to control the Intercolonial Railway, and some other roads, but so he had before the Departments were separated; and I believe that the hon. gentleman who is at the head of that Department will not take the responsibility of saying that after the Canadian Pacific Railway is completed, one Minister could not very well discharge the duties of Public Works and Railways and Canals. Our public works are not so large as they were, and I hope they will not be as large as they were. There is no reason why those Departments should not be amalgamated, but we never hear of any such proposition. A year or two ago, a small Department—the Department of Marine and Fisheries—was divided into two in order to give an office to somebody. Has there been a decrease of expense in that Department? Not at all. You find first-class clerks, and second-class clerks, and so on, in each branch of that Department, and the expenses have been largely increased. The hon. gentleman has now had an opportunity of reorganising the whole system, and he has great power in the House, and great power with his supporters, to enable him to do that. I believe that he could very well reduce the number of Ministers and of members of the Cabinet in creating Under Secretaries of State, and largely reducing the public expenditure, but he has not done that. Instead of that, he makes a proposition which will involve an increase of between \$30,000 and \$40,000 a year. I have taken the trouble to go over the expenditure on the Departments, and I find that the average cost of each Department is between \$54,000 and \$64,000, and I undertake to say that this new Department will not be long before its cost is equal to the others.

Mr. MILLS (Bothwell). The hon. gentleman who leads the Government has told the House that the officers in the Department of Customs and in the Department of Inland Revenue are largely a reduplication of each other.

Sir JOHN A. MACDONALD. I did not say so. I said they were largely administrative.

Mr. MILLS (Bothwell). He said more than that. He said that many of the duties which were undertaken by the one might be discharged by the other. How does he propose to reduce the expenditure? By merging these offices

under one Minister? Not at all; but by putting one under a Controller of Customs and the other under a Controller of Inland Revenue. The distinction is to be kept up. The distinct organisations are to be kept up. How then is he going to bring about a diminution in the expense, and to put an end to that duplication of offices which at the present time is altogether unnecessary. I do not object, as I have said, as we all on this side have said, to the hon. gentleman having his Minister of Trade and Commerce. We think it is well to have a Minister of Trade and Commerce, if you give him the duties of a Minister of Trade and Commerce to attend to; and that will be quite sufficient; but you should unite the duties of your Minister of Customs and your Minister of Inland Revenue, and have a Minister of Revenue. Let him discharge the duties which would devolve upon him. They are quite sufficient, and they are distinct from the duties of a Minister of Trade and Commerce. In that way, you may secure economy by placing those two Departments under one Minister, and by putting an end to unnecessary offices, and to the salaries which now go to pay those unnecessary officers in the two Departments, which could be combined in one, and the saving would supply you with the means to pay the staff of the Minister of Trade and Commerce. We have suggested to the hon. gentleman a way in which he may economise and may diminish the number of offices. The hon. gentleman says that his provision is practically the same as the English provision for Under Secretaries. I say it is not the same. The Under Secretary in England has the same duty as the senior officer to discharge. He is not a member of the Cabinet, but his administrative duties cover the same ground as those of his senior. He takes a seat in one House while his senior takes his seat in the other. It is a matter of convenience, and they are there to explain their administration. They can do in England what we cannot do here. Men in England do not refuse office because they cannot afford to accept it, because they cannot accept the small salary which is attached. They are mostly men of fortune; but how many men here could accept \$2,000 or \$3,000 a year and discharge the duties of a subordinate Minister? Our circumstances are altogether different and require a different policy to be pursued; we have adopted a different policy, we have acted upon a different policy, and the hon. gentleman knows that his proposition is not one to change that policy and to introduce the English system, but is merely one to increase the expense and to make the machine of government more expensive, more unwieldy, and more cumbrous than it is at present.

Sir JOHN A. MACDONALD. It seems to me that the hon. gentlemen opposite ought to unite on some ground of opposition. The hon. gentleman says he is opposed to this, and believes that the English system would not apply here. The hon. member for South Oxford (Sir Richard Cartwright) says otherwise, and the hon. member for Prince Edward Island (Mr. Davies) sees a great deal of merit in having young men brought in as members of the Government without their being members of the Cabinet, but he thinks this is going to cause a great deal of expense. He does not object to bringing in the subordinate members of the Government. That cannot be his objection, for he approves of that. Then his objection must be that a man is called the Minister of Trade and Commerce instead of Minister of Revenue. We will have the Minister of Finance. You do not want to do away with the Minister of Finance? Then, they do not object to the Minister of Trade and Commerce, and then they desire a Minister of Revenue, so they desire three Ministers by way of economy, while we only propose to have two. We propose to have a Minister of Trade and Commerce—that is one; we propose to have a Minister of Finance—

that is two. These hon. gentlemen propose three, but we propose, instead of a third Minister, to have two subordinate Ministers, and two of the hon. gentlemen opposite approve of that course. The hon. member for South Oxford (Sir Richard Cartwright), the hon. member for Queen's, P. E. I. (Mr. Davies) say: Yes, that is very good. It is cumbersome, expensive and adding to the inefficiency of the Department, says the hon. member for Bothwell (Mr. Mills). Well, gentlemen, settle it among yourselves, agree upon it. In the meantime I believe we are introducing economy. The hon. gentleman says: Why do you not propose to unite Public Works and Railways? We have not much encouragement from hon. gentlemen opposite, when we come down and propose to diminish the number of Ministers when we are attempting to simplify a Department, and to reduce the number of Cabinet Ministers. This is an attempt to reduce the number of Cabinet Ministers, and to bring forward the young talent of this House and enable them to acquire training in the public service. It is of very great importance indeed, that men should not at once step into the more important offices of the Government, and at the same time be members of the Cabinet, and potential in governing the political destinies of the country, and the great questions connected with the Dominion as a whole. Now, it is quite clear, if the Minister of Trade and Commerce is honestly chosen for his ability, if he has under his Department the Inland Revenue and Customs, if he sees the work under his own eyes of these two branches of the public service, he can at once discover where there is a redundancy of employment, where there is an opportunity of uniting the work in the same hand. The hon. gentleman says: Well, there are two deputy heads in that important Department of Marine and Fisheries. There must be, in order to have efficiency, and an efficient classification of the work, and you must have men specially adapted and trained. Take for instance, the Department of Marine and Fisheries. The officer who is in charge of the fisheries has got specific duties to attend to, requiring special study, special aptitude and attention to that branch, to look after the encouragement of the fisheries, to look after the protection of rivers, to look after the development of that great branch. Then the Minister Marine has got most multifarious duties connected with navigation, with shipping, both on the great lakes and on the greater ocean. These classifications are absolutely necessary, and it is quite absurd to say that we are going to promote efficiency by making, for instance, one man look after all the questions arising in the Customs, and all the very difficult questions that arise with respect to the administration of Excise. You must have special officers for both these branches, and our proposition simply is that for each of these branches there will be a political head who will be in Parliament, and who will have special charge of each of these classes. Depend upon it, this is a well meant attempt, and I think will be a successful attempt, to carry out increased efficiency and increased economy as well.

Sir RICHARD CARTWRIGHT. I may take occasion to remind the First Minister that I myself expressly stated, in discussing his remarks, that the system I should prefer was that which was explained by the hon. member from Queen's, P. E. I. (Mr. Davies), of largely reducing the number of Cabinet Ministers. I took occasion to say that.

Sir JOHN A. MACDONALD. Yes.

Sir RICHARD CARTWRIGHT. And the hon. gentleman knows that it is not an opinion of yesterday, that I have expressed it in my place in Parliament on various occasions and at various times; and that I thought the circumstances attending Confederation had caused a far greater number of Cabinet Ministers than we need.

Sir JOHN A. MACDONALD. Quite true.

Sir JOHN A. MACDONALD.

Sir RICHARD CARTWRIGHT. I may say this to the First Minister, that we have been discussing this matter, so far, in a very fair and friendly spirit, I think, and if the hon. member for Bothwell (Mr. Mills), who has devoted a great deal of attention to the working of constitutional systems, differs from me, or my hon. friend from Queen's, P. E. I. (Mr. Davies), I think it is quite proper that he should state his views.

Sir JOHN A. MACDONALD. Certainly.

Sir RICHARD CARTWRIGHT. I do not think, when we are taking this up in the fashion we are, that the hon. gentleman is quite fair in saying that there is a great discrepancy of opinion between the hon. gentlemen on this side. We are candidly and fairly giving the House our opinions, and in that we are strictly in accordance with our duties. But if there is a slight difference on the main point, we are all agreed that we would like to see the number of the Cabinet largely reduced, and that is the point in reality between us and the First Minister. However, so much for that matter. The point to which I want to call his attention is this: I heard him just now declare that he wanted the Minister of Trade and Commerce to be able to concentrate his whole mind and attention on those large and broad questions affecting the trade and commerce of the whole Dominion, which are becoming more and more important every day. That was his contention. He did not want him to have to do with the pounds, shillings and pence side of the question. He stated that; I took down his words at the time. Now, I may say it appears to me that if he is head of the Department of Customs and the Department of Inland Revenue, of necessity an enormous number of questions will arise which will have to be referred to that head, that they will occupy his time very much, to the exclusion of the larger duties which the hon. gentleman desires to assign to him. The inferior members in the Administration who are specially charged with the administration of the Department, will find themselves unable to decide these questions without an appeal to the Minister, whether he be Minister of Trade and Commerce or whether he be Minister of Finance; and if the hon. gentleman's object be, as he says it is, that the Department of the Minister of Trade and Commerce should give special attention to the larger questions, the mere fact of his being the official head of Inland Revenue and Customs will, I think, greatly interfere with his discharging that function. The President of the Board of Trade, although I do not know that he is quite as important an official in the British Cabinet as the hon. gentleman proposes to make this officer, is obliged, if my memory serves me, to keep in constant communication with all the numerous representative commercial bodies throughout the kingdom, and he is obliged also to keep a special eye over the consuls and foreign commerce of the country. Those are his two chief functions, they occupy him fully. In Canada we have not got so much foreign commerce as yet—although I hope that, in course of time, it will attain to a much larger development—as to exact the same engrossing attention. But as the hon. gentleman knows, we have an enormous number of cases submitted to the Minister of Customs and the Minister of Inland Revenue, in the nature of appeals and pleas for remission, and pleas for consideration, and all that kind of thing. Now, my opinion is that these will come, in the vast majority of cases, to be decided by the officer of Trade and Commerce, and if you make him the head of that Department that he will find that they will absorb almost his whole time and attention.

Sir JOHN A. MACDONALD. I may say in the first place that I quite appreciate the spirit in which the hon. gentlemen opposite have approached this question. They are really assisting the Government by their advice in discussing the measure, and my remark was merely a good-

natured chaff across the floor about differing opinions among gentlemen who, politically, are known to be associated, but it is quite right that in a question of this kind in which the whole House are interested, every hon. member on both sides should express his opinion. The hon. gentleman points out that the attention of the Minister of Trade and Commerce will be greatly taken up by the number of questions that will arise in the Customs Department, as well as in the Inland Revenue Department. But the hon. gentleman must remember that the Minister although not a Cabinet Minister is, so far as the public is concerned, a member of the Cabinet, and his decisions will be just as binding as if he were a Cabinet Minister and called the Minister of Customs. The Department will be under his supervision and control. The Minister of Trade and Commerce will have the supervision of those two Departments, and he will have the controllers of the two Departments under his management.

Sir RICHARD CARTWRIGHT. Will the hon. gentleman permit me to read him a phrase in the clause, which is very full and very strong. It says:

"Any duty or power assigned to the Controller of Customs or the Controller of Inland Revenue shall be performed or exercised subject to the direction and control of the Minister of Trade and Commerce."

Those gentlemen will be, therefore, practically in the position of inferior officers, subordinate officers, Under Secretaries or what you will, to the Minister of Trade and Commerce. That is the intention of the Government, I suppose?

Sir JOHN A. MACDONALD. It is so. But the hon. gentleman will remember that the Chancellor of the Exchequer in England never has Customs or Inland Revenue cases brought before him; they are all dealt with by other officers, although he is nominally at the head of the whole fiscal system. However, in order to meet the view of the hon. gentleman on that point I will consider it in the other Bill whether—because, to a certain extent, all reorganisation must be tentative and experimental—I can insert a clause that those two Departments shall be under the control of the Minister of Trade and Commerce or under any other head that the Governor in Council might order.

Mr. BURDETT. It is to be regretted that a measure of this importance has been brought forward so late in the Session. As the leader of the Government has intimated that we should forward the business as much as possible by making our speeches as short as possible to hasten prorogation, I would respectfully suggest that this measure should be allowed to stand over until next Session, in order that members may ascertain what are the views of the people in regard to it, and whether they consider it will benefit the country or not. I think that would be the proper action to take. I see no necessity to have this measure passed this Session and before the country has expressed its opinion upon it, because the Bill provides that it need not be brought into force until a later period. It is still more important, in my judgment, that this measure should be postponed, because other matters which are more urgent and which are forcing themselves on the attention of the country, should be discussed and should occupy the attention of the House. The first in importance is that of commercial union with the United States—unrestricted trade with our neighbors. That question is now agitating the country, and it must necessarily occupy the attention of this House. The right hon. gentleman may smile if he sees fit, but there is such a feeling in the country, there is so much uneasiness in regard to the way in which public affairs are being managed, there is such a feeling of gloom prevailing that there may be a political revolution in this land before many years have passed. Then there is the question

of universal suffrage to be discussed, and also the large question of pensions and superannuations. The pruning knife should be applied there, and it is necessary to consider how this is to be done. There was no one subject more agitated before the people than the question that this country is too much governed. What was meant by that was that we had too many legislators.

Sir JOHN A. MACDONALD. I really must rise to a point of order. The hon. gentleman is not speaking to the third clause. He is speaking on every possible subject. We are in committee, and hon. members should only discuss the clause before it.

Mr. MILLS. The right hon. gentleman has discussed the general principle, and he undertook to reply to me after we were in committee.

Mr. BURDETT. I was saying that the pruning knife should be applied. I understand that a larger number of new members were returned to this House at the last election than to any other Parliament since Confederation, which is to my mind a clear indication that the people desire a different order of things, possibly not a change of Government, but a different management of public affairs; and if there was one pledge given by the candidates to the electors more frequently and more vehemently than another it was the pledge that they would aid in every possible way to secure economy in the public service. I found since I came here every ingenuity used to devise means to increase the expenditure; we have increased the number of senators and it is now proposed to increase the members of the Government under one guise and another. It is idle to argue on the ground of economy that you can increase the number of officials in the Government. I should like to know when the right hon. gentleman has ever introduced such a measure during his political career and has not urged that it was introduced with a view of economy, and I should like to know any one case in which such measure did not increase the public expenditure. I think the object of the Bill could be attained in a different way. If it is desired to have a Minister of Trade and Commerce, unite the offices of Minister of Customs and Minister of Inland Revenue under one head, and place this office under another head. That would be a satisfactory arrangement. I am not aware that any of the hon. gentlemen are overworked, for they appear to enjoy ample leisure; they take rest, and they visit their friends, and travel the same as other people do. They are not, therefore, overworked, and those two positions could be united under a Minister of Trade and Commerce in the way I have indicated. Then, if it is desired to have a Solicitor General—and I should think it is hardly desirable under existing circumstances—unite the offices of Minister of Railways and Minister of Public Works. The cause for the separation of those two positions having passed away, there is no reason why they should not be united, and have a Solicitor General to occupy one of those positions without increasing the expenditure. For my part, I am opposed to having understrappers in the Government or anywhere else. Any man in the Government should be in the Cabinet and bear his share of responsibility for the measures of his Department; and when charges of mismanagement were brought against his Department he should not be able to screen himself behind a subordinate officer, who would be used as a scape-goat, in time of need, to bear their sins into the wilderness of public obliquity. I entirely object to that system. If it is necessary to have such changes as have been suggested, abolish the useless and expensive office of High Commissioner to England. The reasons given for creating that office have proved to have no foundation, and that office should be abolished and this new office of Minister of Trade and Commerce created in its place, if it is absolutely necessary. We were told that if a High

Commissioner were appointed in London, our financial arrangements would be conducted by him; but we find this Session that a payment of \$29,000 has been made to one gentleman for putting through a loan. We were also told that we would save the expense of Ministers going to and fro between here and England so frequently. But they have gone more frequently, and it is apparent that that office could be very conveniently abolished. As the Finance Minister was brought back by the party because it was absolutely necessary to do so to prevent the storm breaking over the heads of the Government, why not retain him here and let that useless office of High Commissioner go by the board? From the position taken by him here, it is manifest that the political life of the Government would be very short without him. It is useless to have all these offices, and if the United States can manage with five Ministers I fail to understand why we cannot do with a like number. I know it has long been the practice to refer to English precedents for an excuse, when English precedents will answer the purpose, but why should we not go to a country which is nearer to us, and has a system more like our own in this direction—a country from which we can draw a useful example of economy in the management of public offices. It is said that this Minister of Commerce would look after the shipping of our country, but I have been enquiring among those of the Maritime Province members whom I know, and they all tell me that the policy of this Government has driven the shipping from their coasts—that it has destroyed their shipping trade. As far as the Solicitor General is concerned, it appears to me, from the large amount of law fees which are now paid to friends of the Government outside, that such an officer is not necessary; but if he will do all the work which is done by these outside gentlemen, to whom enormous and extravagant fees are paid, it may pay to appoint him, and unite the other two offices as I have indicated. I would urge upon the Minister that he should permit this matter to stand over until next Session so that we may ascertain in the meantime what the feelings of the people are on the subject. He may feel the pulse of the people through the press or at the bye elections, and, as there is no urgency in the matter, I hope he will postpone the measure until next year. I think that in the meantime hon. gentlemen could better employ their time in applying the pruning knife to the present extravagant and inefficient officers under the Government, than by adding new offices at an increased cost to the people.

Mr. DAVIES (P. E. I.) The hon. gentleman has said that, in all probability, no other officers under the head of the Department would be necessary, except a deputy head. Why then does he take power by this clause to appoint a number of these other officers? He is taking that power because he knows it will be found necessary to have these other officers and clerks. I don't know whether the hon. gentleman was serious—he seemed to be speaking in a rather humorous way at the time—when he said that the proposition advanced from this side of the House would cost the country more than the one he proposed. Let us take the figures and see. Now we pay \$7,000 a year to a Minister of Customs and the same amount to a Minister of Inland Revenue. The hon. gentleman proposes to reduce them to \$5,000, calling them respectively Controller of Customs and Controller of Inland Revenue. Then there will be the Minister of Trade and Commerce at \$7,000, and a Deputy Minister at \$3,200, making \$20,200 as against \$14,000, which is the amount now paid. Does any hon. gentleman in this House, much less the right hon. gentleman himself, believe that the deputy head of such a department—a personage of much more real importance than the political head, will not have his chief clerk? Of course he will have a first-class clerk and second-class clerks. We know that the

Mr. BURDETT.

Inland Revenue Department last year had no less than nine first-class clerks, and so it will go in the new Department all the way down the gamut to the doorkeeper. He has omitted the private secretary, but he must know that the Minister of Trade and Commerce will have a private secretary, and so it will go all the way through. I think the hon. gentleman will find that my estimate for the extra amount is a very moderate one.

On section 4,

Sir RICHARD CARTWRIGHT. I should say that the fourth clause was out of place in connection with the Department of Trade and Commerce.

Sir JOHN A. MACDONALD. That clause was put in most of the Acts with regard to the Departments, in 1867, and I think it should be put in here, especially as it can do no harm.

Mr. MILLS (Bothwell). It was put in at a time when the whole business of the Government was tentative. Now the hon. gentleman has been for the greater portion of twenty years at the head of the Government, and surely the period of tentative government ought by this time to be over; we ought by this time to be able to settle down to a proper system of institutional law and decide what are the precise functions of the various Departments. We had the Department of Indian Affairs in the Interior, and now the hon. gentleman has transferred it to the Presidency of the Council. There was the Police Department, which was put under the Secretary of State, and afterwards under the Minister of Justice, but is now under the Presidency of the Council. So these various duties, instead of being indicated by being placed under a particular officer, are made to travel from one Department to the other, so that the name of a Department is no indication of the functions it is discharging. The hon. gentleman takes power in this Bill to transfer those duties, which are so properly indicated by the name, to another Department of the Government—to, say, the Minister of Justice, the Secretary of State or the President of the Council. It seems to me that if it is proper to create a Minister of Trade and Commerce, to discharge the duties which devolve upon a Minister of Trade and Commerce, there is no necessity to travel those duties on circuit from one Department to another.

Sir JOHN A. MACDONALD. It occurs to me that the clause is a valuable one. It gives the Government power, if any particular branch happens technically to be under one Department, to transfer it to another, and the hon. gentleman has himself given an instance of the kind. He mentioned that the Mounted Police were under the Department of Justice, which is, perhaps, the proper place, as they are police officers. But the Minister of Justice of that day, in the Government of hon. gentlemen opposite, did not like that arrangement, and he transferred the Mounted Police to the Department of the Secretary of State. Then it was thought that the Mounted Police should be under the Department that has to deal with the Indians, and with the Indian movements, because the police force is really there to restrain the wild Indians of the west. The hon. gentleman's instance shows the value of this clause, which, at all events, can do no harm.

On section 5,

Mr. DAVIES (P. E. I.) I would ask the hon. gentleman if he really thinks this clause is necessary? There is such a provision with respect to the other Departments, but it is not carried out. Here we are just verging on the close of the Session, and we have been looking for the Fisheries report day after day for twenty-one days, but it has not been distributed. For my own part I do not expect to

get it, though perhaps we may get it as a present just when we are going home.

Mr. MILLS (Bothwell). Or get it after you go home.

Sir JOHN A. MACDONALD. I wish to insert a clause here to provide that the Bill shall not take effect until it is brought into force by proclamation.

Mr. MILLS (Bothwell). It is not a measure of urgency then? Better let it stand till next Session.

Amendment agreed to.

On section 6,

Mr. MILLS (Bothwell). I see that the hon. gentleman provides for the appointment of a deputy, but no provision is made for the salary of that officer.

Committee rose and reported progress.

SUPREME AND EXCHEQUER COURTS ACT.

House resolved itself into Committee on Bill (No. 111) to amend the Supreme and Exchequer Courts Act, and to make better provision for the trial of claims against the Crown.—(Mr. Thompson.)

(In the Committee.)

On section 3,

Mr. DAVIES (P.E.I.) Does the hon. gentleman intend to transfer to the Exchequer Court the exclusive jurisdiction in every case, so that the Supreme Court shall cease to be a court of original jurisdiction in any respect?

Mr. THOMPSON. Yes.

Mr. MILLS (Bothwell). It is not necessary to go into a discussion of the general principle of the Bill now, but I think it is certainly not an improvement on the existing means for the administration of justice. The Supreme Court, besides being a court of appeal, is a court of original jurisdiction as an Exchequer Court, and I think the public would have been better served and satisfied if the hon. gentleman had allowed that jurisdiction to continue, and, if he thought necessary, had appointed an additional judge to the Supreme Court. Under the Bill there will be a great many important matters to be tried in a court consisting of one judge, and almost every case will be followed by an appeal. The hon. gentleman, I am satisfied, has taken a retrogressive step in proposing this change.

Mr. THOMPSON. I would remind the hon. gentleman that Exchequer cases are now tried by only one judge.

Mr. LANGE LIER (Quebec). What is the objection to the course proposed by the hon. member for Bothwell of increasing the number of the Supreme Court judges, if necessary, and maintaining the Exchequer Court as it is at present.

Mr. THOMPSON. It would be directly contrary to the principle of this Bill, and open to these objections. In the first place, we would have no distinct tribunal, but we would have seven judges, each of whom would be charged with Exchequer business; and there would be this additional disadvantage, that all the Exchequer Court business of the Dominion would be concentrated in the city of Ottawa. It would be practically impossible for the Supreme Court judges, discharging appellate duties, also to travel all over the country to take evidence on petitions of right; but the judge under the Bill will go to the points where it is most convenient to take evidence.

Mr. MILLS (Bothwell). The judges of the Supreme Court of the United States have jurisdiction as Circuit Court judges. The whole United States is divided up into circuits, one of the judges of the Supreme Court is united with the District Court judge on every circuit. I can see no diffi-

culty in dividing up Canada into circuits, and the Supreme Court judges going over the country in the same way. That would meet the objection of the hon. gentleman, and he would accomplish all he proposes to accomplish, so far as the board of arbitrators are concerned, if he would subordinate that board to the Supreme Court in its Exchequer capacity.

Mr. THOMPSON. In the United States there are Circuit Court judges of the Supreme Court, who are not the judges who sit to hear appeals.

Mr. MILLS (Bothwell). The hon. gentleman is mistaken. There are two courts in the United States besides the Supreme Court—the Circuit Court and the District Court. The District Court judge sits with the Supreme Court judge in the Circuit Court. The hon. gentleman is altogether mistaken in supposing that the judges of the Supreme Court of Appeal do not also sit as Circuit Court judges.

Mr. THOMPSON. I think I am not mistaken at all. But the question is not material to the present argument. If Parliament will give me anything like the staff, considering our territory, that the United States Supreme Court has, and is willing to bear the expense, my objection will be removed.

Mr. MILLS (Bothwell). There is no difficulty about the expense.

Mr. LANGE LIER (Quebec). There would not be any more expense than in the system proposed in this Bill. The objection of the hon. the Minister of Justice would have weight were there too few judges in the Supreme Court to do the business required. But as he proposes to create another judge, any objection on that score disappears. The additional judge, which he proposes to name, he might add to the Supreme Court, instead of giving him special jurisdiction, and any one of the judges of the Supreme Court could then exercise in the Exchequer Court the special jurisdiction under this Bill, without interfering with the business of the Supreme Court. I cannot understand the objection to employ one of the judges of the Supreme Court in these cases. In the Province of Quebec we have the Court of Queen's Bench, which has an original jurisdiction and an appellate jurisdiction—original in criminal matters, and appellate in other matters, and no difficulty arises. Some difficulty did occur until a few years ago, owing to the fact that the number of judges was insufficient, but since the appointment of an additional judge the court of original jurisdiction and the court of appellate jurisdiction may be held at the same time. There is no reason why the same cannot be done here. Further, if you appoint one judge to deal solely with one kind of business, you cannot expect to obtain the services of so able a man as if you were to appoint an additional judge to the Supreme Court. The hon. the Minister of Justice says there is an objection to taking away a judge from the Supreme Court; but this has been going on whenever the Exchequer Court is held. I have seen a judge of the Supreme Court occupied at the Exchequer Court in a case which took up three and a half months of his time. I have no objection to the plan of handing over the business of official arbitrators to a regular court. That suggestion was made by the leader of the Opposition when the Bill of last year was introduced, a Bill very different from the present one. The leader of the Opposition then suggested, as an improvement to the Bill of the Government, that it would be better, instead of appointing a special court of arbitrators, to give the duties of arbitrators to the Exchequer Court. I do not see why this plan should not be adopted.

Mr. THOMPSON. I do not see the slightest advantage in such a scheme, and the hon. gentleman has not given any reason in its favor. He has merely stated that it has

occurred to his own mind that the plan would be a good one, without stating why it would be preferable to the one proposed. He thinks my objection to it was badly taken, because the judges at present go on circuit and hear petitions of right. So they do, and, as far as their appellate duties are concerned, no great inconvenience has resulted. We are, however, transferring to them all the duties of the board of arbitrators, and instead of having one of them occasionally going on circuit as at present, we shall have at least three of them engaged permanently in circuit duties. If, on the other hand, we give the Exchequer Court business to one judge, he shall have no appeal duties to discharge. We would not do better by giving him a thousand dollars more and compelling him to hear appeals likewise. A great advantage will be obtained, as regards certainty of practice and speedy despatch of business, by placing all this kind of business in the hands of one judge, instead of having to inconvenience the judges of the Supreme Court by asking them to deal with those cases, when they have many other important duties to attend to.

Mr. LANGEЛИER (Quebec). If one judge is able to attend to all this work, I do not see why an additional judge in the Supreme court would not be sufficient also for the work. If it is expected that one judge alone will be able to attend to those duties, I do not see why an additional judge, who would be a member of the Supreme Court, would not be able to attend to them, and he would, besides, have the assistance of the other judges when they have leisure, which very often happens; whereas, under this Bill, he would have no assistance at all. This will entail the necessity of appointing more judges hereafter, as one judge will not be enough to exercise the jurisdiction. Either the business of the court will be neglected, or it will be necessary to increase the number.

Mr. THOMPSON. The addition of one judge to the Supreme court would not meet the case. He would be clothed, not only with Exchequer Court jurisdiction and duties, but with appeal duties likewise. He would have as much to do in the Court of Appeals as the present judges, yet you would expect him to discharge all the Exchequer Court business and all the business of the Dominion arbitrators.

Mr. MILLS (Bothwell). There are one or two difficulties which the Minister of Justice can hardly have considered. If you have but one judge, he must be familiar with both languages, as he would have to hold his court in Quebec as well as in the other portions of the Dominion. No matter what eminence he may have attained at the bar, it is absolutely necessary he should speak French as well as English.

Mr. AMYOT. We have any number of men who know both languages.

Mr. MILLS (Bothwell). So you have, and that means the judge must be taken from the Province of Quebec. The hon. gentleman will see when he, through necessity, must take a judge from the Province of Quebec to discharge the duties of judge of the Exchequer Court, he could strengthen the judiciary of that court, so far as Quebec is concerned, by making him a judge of the Supreme Court, because then you would have three judges in the Supreme Court acquainted with the Quebec civil law where you have only two to-day. That would be a considerable advantage. The hon. gentleman says it will require three judges to discharge these duties, but if you appoint one in a separate court and he alone is able to discharge them, I do not see the force of his statement.

Mr. THOMPSON. At present there is a rota of duties in the Supreme Court in relation to Exchequer business, and suitors can only expect the judges of the Supreme Court to take Exchequer business in the intervals when they are not called on to perform their other duties. For that reason,

Mr. THOMPSON.

if we require all the judges to do duty in the Appeal Court, we can only take the intervals of their time between appeal terms for the other business, and it would require more than these intervals to dispose of all the Exchequer business.

On section 7.

Mr. DAVIES (P.E.I.) I do not propose to reopen the discussion, as the hon. gentleman insists upon proceeding with his Bill, but, suppose this new judge cannot act in the case of illness, as the whole jurisdiction is withdrawn from the Court of Exchequer, what provision is to be made?

Mr. THOMPSON. That is provided for. He appoints a deputy judge.

Mr. DAVIES. You do not utilise the judges of the Supreme Court?

Mr. THOMPSON. No.

On section 15,

Mr. PATERSON (Brant). I see that notice has been given of the introduction of a Bill by the Minister of Customs. Of course, I do not know what that is to be, but I was wondering whether he was contemplating the adoption of some suggestions which were offered last year, as to the reference of questions of Customs seizures to a judicial decision, instead of leaving them as at present.

Sir JOHN A. MACDONALD. Does the hon. gentleman ask whether the Customs decisions are to be referred to this court?

Mr. PATERSON (Brant). Last year there was a good deal of discussion on this point, and the hon. member for Glengarry at that time, following my hon. friend from Chateauguay (Mr. Holton), suggested that, in questions of seizures, after the goods had passed out of the charge of the Government, the duties having been paid, the recourse must be had then, not by way of appeal from the decision of the Customs Department, but at the instance of the Customs themselves, in order to recover the goods in the court, and that there should be something like there is on the other side of the line in reference to that matter; and he said that if the Minister of Customs did not introduce a Bill looking in that direction this year, he would feel it incumbent on him to do it himself. Of course, the then member for Glengarry, whether he has felt it incumbent on him or not, is, unfortunately for him and, perhaps, for the country, not now in a position to introduce such a measure. The Minister of Customs has given notice of a Bill to amend the Customs Act, and I was anxious to know whether he proposes to cover that point, because it is not covered in this Act.

Sir JOHN A. MACDONALD. No, it is not. I rather think my hon. friend the Minister of Justice will carry on this Bill on the lines he now proposes. The Minister of Customs has now under consideration the question whether, in his measure, he will throw that additional jurisdiction on this court. That is at this moment under consideration.

Mr. PATERSON (Brant). If the jurisdiction is limited as it is in this Act, could the Minister of Customs afterwards do that?

Sir JOHN A. MACDONALD. My hon. friend the Minister of Justice says he could.

Mr. DAVIES (P.E.I.) The hon. gentleman seems to have changed the phraseology somewhat. The old jurisdiction clause provided that there should be jurisdiction in regard to any claim against the Crown or any officer of the Crown. Does the hon. gentleman know that, in England, it is customary to sue the Crown by suing the officers of the Crown—the Secretary of State for instance. I suggest that those words ought to be put in, because there are many suits

which must be brought against officers of the Crown in England and cannot be brought against the Crown itself.

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

After Recess.

IN COMMITTEE—THIRD READING.

Bill (No. 96), to incorporate the Dominion Oil Pipe Line and Manufacturing Company.—(Mr. Moncrieff.)

ST. JOHN'S AND IBERVILLE HYDRAULIC MANUFACTURING COMPANY.

Mr. COURSOL moved the second reading of Bill (No. 119) to grant certain powers to the St. John's and Iberville Hydraulic and Manufacturing Company.

Mr. BOURASSA. (Translation.) Mr. Speaker, before the question is put for the second reading of this Bill, I desire to make a few remarks to the House on this question. I must say, in the first place, that not one land owner having a river frontage on the Richelieu River has ever addressed a petition or a demand of any kind to this House in favor of this measure. On the contrary, we have learned that nearly all the river proprietors were ready to sign petitions against the adoption of this Bill. If that has not been done, it is owing to the fact that we have only received this Bill to-day. The petitions which were sent here in favor of this Bill have been drafted from the notices given by the company, and the Bill was sent in too late to allow of petitions against its adoption being sent here before its second reading. I believe, however, that if proper time had been allowed, these petitions would have been signed by seven-eighths of the proprietors having a river frontage on River Richelieu, on River du Sud, on Pike River, on Missisquoi Bay, against the passage of this Bill. After the experience we have had, the hon. member for Iberville (Mr. Béchard), the hon. member for Missisquoi (Mr. Claves), and myself, we can certify that if this measure is adopted it will entail great losses on the river proprietors by causing their lands to be almost constantly flooded. The promoters of the Bill pretend that they will favor navigation by keeping the low water level two feet higher than what it is now. And at St. John they say that they will thus aid the Government in protecting navigation. I can assure this House that there are no less than 25,000 or 30,000 acres of land on which a crop is never put in except at times when the water is quite low. We have the experience of our forefathers on this point. In years gone by, fisheries had been built near the St. John's Rapids, which raised the water from 1½ feet to two feet. Well, as long as these fisheries were there, the proprietors were unable to get the value of 25 cents on any acre of the lands which were so flooded. We succeeded in having these fisheries removed; these lands were restored to cultivation, and regained their original value. I am satisfied that if the hon. Ministers who compose the Government were perfectly informed of the real state of things, they would never have allowed this Bill to be brought before the House, or, at least, they would not have allowed its second reading. I hope the House will not allow it to go any further. I will not move that this Bill be rejected, because it is not customary to do so with regard to private Bills; but I think the Government have the right to act as they think best, and if they can see their way to it they will confer an immense favor on the counties which I have named, and which have an interest in not having this Bill adopted; and I will resume my seat in the hope that justice will be done to the river proprietors.

Mr. BÉCHARD. As my hon. friend from St. John's (Mr. Bourassa) has said, there is strong opposition to this

Bill on the part of some of his constituents, as well as on the part of a considerable portion of my constituents. This Bill deals with a very important question. It proposes to bar the Richelieu River by a dam at the head of the rapids which are situated between the town of St. John's and Iberville. If the dam is built, the consequences might be very serious to the riparian owners above the dam. They have sent petitions against this measure, which were presented to this House a few days ago by my hon. friend, and some by myself, and those petitions were covered by numerous signatures. It is true that a petition has been presented to Parliament in favor of the passage of this Bill, but I noticed that it was signed only by the promoters of the Bill. Three years ago, I think, an examination was made of the Richelieu River, by order of the Government, and it was then ascertained that there existed between Lake Champlain and St. John's, a distance of about 25 miles, a difference of level of only four inches and a half. Well, every one can easily understand that the least obstruction in that river will raise the water for a long distance upwards. Already, when the waters are high in the early spring, a large tract of land is flooded by the water. It is estimated that between 20,000 and 30,000 acres of good farm land are flooded in this way. In some years the water is higher than in other years, and then the land is flooded until as late as the latter part of June, so that the farmers can only sow their grain in the first days of July, when it is too late to sow anything but buckwheat. They fear that if this company is allowed to dam the river, a portion of their land will remain flooded during a much longer period. They have consequently asked me, and my hon. friend from St. John's, to look after this matter, and to offer, in their name, opposition to this Bill. I now take this opportunity of calling the attention of the Government, and more particularly of the Minister of Public Works, to this question. The object of this Bill is mainly to secure a water power. No doubt the establishment of water powers there would be a public benefit; but, at the same time, as the interests of so many people in regard to lands might be affected by this Bill, those interests ought not to be neglected. Twenty years ago there were weirs at the head of the rapids, and people complained that, at spring floods, they caused the water to remain over their land longer than previously. Those weirs were removed, and since that time the people say the state of things has much improved. Old members of Parliament, and the Minister of Public Works, will remember that, on several occasions, I called the attention of the Government to this subject, upon the complaint of the riparian owners, who still contend that the piers of the railway bridge belonging to the Central Vermont Railway as well as the piers of the wharf built by that company alongside their bridge, prevent to a considerable degree the flow of the water in spring. But when they heard that this newly formed company intended to have a dam erected at the head of the rapids at St. John's, this increased their fears. This Bill is a very important one, and it cannot pass this House without the consent of the Government, but I will not take any steps to-night to prevent the Bill going to some standing committee, I suppose the Private Bills Committee, because I am sure the House is not now prepared to give an opinion upon it as there is a question of engineering involved that will probably decide its fate. As this question can be discussed thoroughly only in committee, I repeat that I will not take any steps against it at this stage, but I again call the attention of the Minister of Public Works to it and to its probable effect.

Sir HECTOR LANGEVIN. My attention was called to this Bill some few days ago, and I was informed that its promoters outside of Parliament had obtained from the Local Legislature of Quebec at its last Session an Act of incorporation, but that the company came here to secure

powers they could not obtain from that Legislature, viz., to deal with the waters of the River Richelieu and place a dam across the river. The matter was stated to me by one of the promoters, perhaps the most prominent promoter, and he thought that the objections that were being made to the proposed improvement would not be pressed when the true position of affairs became known. Upon receiving that information I did not go into the details with that gentleman, but I told him that, perhaps, it would be better for his company to get the Bill before this House, and after having it read the second time defer it until next Session when it could be reintroduced. I do not know what the promoters of the Bill will do; but it is not customary for this House to reject a Bill at its second reading when it relates to a matter of this kind, and, therefore, I would suggest to the two hon. members, whose counties will be affected by it, that they adopt the course they seem disposed to adopt, that is to allow the Bill to go to the committee. They will no doubt take care that the engineering difficulties and all other matters are carefully considered, and I am sure the members of the committee will give it all the attention it deserves, because it certainly affects the vested interests of a large number of riparian proprietors in those two counties. Under these circumstances I will not oppose the second reading.

Motion agreed to, and Bill read the second time.

SECOND READINGS.

Bill (No. 102), to amend the Act respecting the Pontiac Pacific Junction Railway.—(Mr. Bryson.)

Bill (No. 118), respecting the Guelph Junction Railway Company.—(Mr. Innes.)

Bill (No. 124) respecting the Ontario Pacific Railway Company.—(Mr. Rykert.)

Bill (No. 125) to incorporate the Manufacturers' Accident Insurance Company.—(Mr. Small.)

Bill (No. 132) to further amend the Act respecting the Canada Atlantic Railway Company.—(Mr. Perley, Ottawa.)

Bill (No. 133) respecting the Manitoba South-Western Colonisation Railway.—(Mr. Haggart.)

Bill (No. 131) respecting the Nova Scotia Permanent Benefit Building Society and Savings Fund (from the Senate).—(Mr. Tupper.)

Bill (No. 134) to enable the St. Martin's and Upham Railway Company to sell its railway and property.—(Mr. Skinner.)

Bill (No. 128) to enable the Western Canada Loan and Savings Company to extend their business, and for other purposes (from the Senate).—(Mr. McCarthy.)

RELIEF OF MARIE LOUISE NOEL.

Mr. SMALL moved the second reading of Bill (No. 108) for the relief of Marie Louise Noel.

House divided:

YEA:

Messieurs

Armstrong,	Hickey,	Robertson (Hastings),
Bain (Wentworth),	Hudspeth,	Robertson (Shelburne),
Baker,	Jamieson,	Roome,
Bowman,	Lang,	Ross,
Boyle,	Livingston,	Scarth,
Brien,	Macdonald (Sir John),	Semple,
Brown,	Macdonald (Huron),	Shakespeare,
Bryson,	MacDowall,	Shanly,
Burdett,	McCarthy,	Skinner,
Campbell (Kent),	McCulla,	Small,
Cargill,	McDonald (Victoria),	Smith (Ontario),
Charlton,	McDougald (Pictou),	Somerville,
Clayes,	McLellan,	Stevenson,

Sir HECTOR LANGEVIN.

Cockburn,
Daly,
Davies,
Davin,
Edwards,
Eisenhauer,
Ellis,
Fisher,
Foster,
Freeman,
Gillmor,
Guillet,
Hale,
Hall,

McMillan (Huron),
McMullen,
McNeil,
Mallory,
Mara,
Masson,
Mills (Bothwell),
Moffat,
Montague,
O'Brien,
Perley (Ottawa),
Porter,
Putnam,
Reid,

Taylor,
Trow,
Tupper (Pictou),
Tyrwhitt,
Waldie,
Wallace,
Ward,
Watson,
Weldon (St. John),
White (Cardwell),
White (Renfrew),
Wilson (Elgin),
Wilson (Lennox),
Wood, (Brockville).—81.

NAYS:

Messieurs

Amyot,
Audet,
Béchar, d,
Bernier,
Bourassa,
Burns,
Cameron,
Casgrain,
Chapleau,
Ohisholm,
Choquette,
Colby,
Coughlin,
Coursol,
Couture,
Curran,
Dawson,

De St. Georges,
Desaulniers,
Dessaint,
Dupont,
Ferguson (Welland),
Gauthier,
Gigault,
Girouard,
Godbout,
Grandbois,
Guay,
Guilbault,
Holton,
Joncas,
Kenny,
Labrosse,

Landry,
Langelier (Quebec),
Langevin (Sir Hector),
Laurier,
McDougall (Cape Breton),
McGreevy,
McMillan (Vaudreuil),
Perley (Assiniboia),
Perry,
Platt,
Robertson (King's, P.E.I.),
Ste. Marie,
Thompson,
Turot,
Wright,
Yeo.—49.

Motion agreed to, and Bill read the second time.

Mr. TROW. The hon. member for Rimouski (Mr. Fiset) did not vote.

Mr. FISET. Mr. Speaker, I have undertaken to find a pair for the hon. member for Bonaventure (Mr. Riopel), and not having found one I cannot vote.

Mr. CHARLTON. I notice that the hon. member for Welland (Mr. Ferguson) did not vote.

Mr. FERGUSON (Welland). At the time the motion was at first read I did not hear my name announced as seconder, but upon its being read the second time I did. I suppose I could have voted, but for that reason I did not vote. If I am obliged to vote now, I will vote nay. I allowed my name to stand as seconder of the motion merely as a matter of courtesy to the member for Toronto (Mr. Small), but if I am allowed to vote I will vote nay.

Mr. SPEAKER. The hon. gentleman is allowed to vote.

Mr. FERGUSON (Welland). Then I will vote nay.

FIRST READINGS.

Bill (No. 144) for the relief of John Monteith (from the Senate).—(Mr. O'Brien.)

Bill (No. 143) to enable the Canada Permanent Loan and Savings Company to extend their business and for other purposes (from the Senate).—(Mr. Cockburn.)

SUPREME AND EXCHEQUER ACTS AMENDMENT.

House again resolved itself into Committee on Bill (No. 111) to amend the Supreme and Exchequer Courts Act, and to make better provision for the trial of claims against the Crown.

(In the Committee.)

On section 15,

Mr. DAVIES (P. E. I.) Has the hon. Minister of Justice decided to copy the phraseology of the other Act in this clause?

Mr. THOMPSON. It is just the same as in the other Act with regard to the exclusive jurisdiction.

Mr. MILLS (Bothwell). Do the words exclusive jurisdiction imply that the ordinary provincial courts can be given jurisdiction? My own impression is that we cannot exclude a provincial court from having jurisdiction.

Mr. THOMPSON. I meant to imply by this that, so far as we had power to legislate, we would give exclusive jurisdiction to the Exchequer Court.

Mr. MILLS (Bothwell). Exclusive of any other court created by this Parliament?

Mr. THOMPSON. Yes. Of course it does not interfere with provincial legislation at all.

On section 16,

Mr. DAVIES (P.E.I.) By this section the hon. gentleman extends the jurisdiction of the Exchequer Court very materially. Among the claims against the Crown is included:

"Every claim against the Crown arising out of any death or injury to the person or to property on any public work, resulting from the negligence of any officer or servant of the Crown, while acting within the scope of his duties or employment."

I quite approve of the object of this clause. The House is aware that it has been held by the Supreme Court that no action can be maintained against the Crown for any injury resulting from negligence on the part of the employes of the Intercolonial Railway, and I suppose the object of this clause is to give that which we have contended for several years ought to be given to the subject, namely, the right of action against the Crown if the Crown becomes a common carrier, on the same grounds as actions against ordinary carriers. But I think a clause should be inserted affirming the liability of the Crown. The mode of procedure is given, but no liability is declared, and if it were not declared, by the decision of the Supreme Court no liability would exist.

Mr. WELDON (St. John). As my hon. friend says, there should be some explicit statement in the Bill of what is the liability of the Crown. But I would go further. I think in many cases an action of tort should be allowed against the Crown. It seems to me we ought to put the Crown as a common carrier in the same position as any other common carrier. If we are going to have a procedure which recognises a claim against the Crown for an injury or death on a public work, the liability should be declared, so that the matter should not be left to inference.

Mr. McCARTHY. I quite agree, that it would be a gross hardship for the Crown to carry on business as a common carrier all the way from Quebec to Halifax, without there being any redress for loss or injury to property carried by it. It is not the first time I have expressed that opinion, and I trust that the Minister of Justice will deal with the matter.

Mr. MILLS (Bothwell). It appears to me that we shall require to go a great deal further than this section goes. It relates to procedure, and brings a remedy against the Crown in cases where there is negligence on the part of a person. But suppose there is no negligence on the part of a person, but, as happened on the Prince Edward Island Railway, the road is allowed to get out of repair, and injury to persons or property is the result. If the property were the property of a corporation, the corporation would be liable; and, where the Government undertakes the work of a common carrier, it seems to me that all the obligations which apply to common carriers ought to apply to the Government, and this will be a proper place to provide for a liability of that kind. Of course, where the Government is carrying on business through the agency of private parties, and those private parties are guilty of carelessness or misconduct, the Government ought to be liable for their carelessness or misconduct in the same way as an ordinary

employer. But we ought to go further, and make the Government, when performing the work of a private corporation, liable to the same extent and in the same way as those parties would be liable.

Mr. WELDON (St. John). In the Province of New Brunswick many cases have occurred in which parties who have been injured have brought actions against the Crown, and the Crown has paid damages, but simply as a matter of favor and not as a matter of right. But I think that if the Government accept the duties and privileges of a common carrier, they ought to bear the burdens of a common carrier, the same as an ordinary individual or corporation; and instead of injured parties being obliged to sue the officials of the Crown, there ought to be an opportunity for them to sue the Crown which is the real offender.

Mr. THOMPSON. I think there is a great deal in the contention that inasmuch as the Crown is doing the business of a common carrier, it should be subject to all the liability of a common carrier. Practically that is the case now, though I admit there is no obligation, and no petition of right would probably lie in many of those cases. But this Bill is not intended to enlarge the remedy of the subject against the Crown. I think any change of that kind ought to come by way of amendment to the Petition of Right Act. Hon. members speak as if the clause related to jurisdiction; but in that respect it is very little more than a transcript of the Official Arbitrators Act, sec. 6, of chap 40, which I will read:

"If any person has any claim for property taken, or for alleged direct or consequential damage to property arising from or connected with the construction, repair, maintenance or working of any public work, or arising out of anything done by the Government of Canada, or arising out of any death, or any injury to person or property on any public work or any claim arising out of or connected with the execution or fulfilment, or on account of deductions made for the non-execution or non-fulfilment of any contract made or entered into on behalf of Her Majesty, such person may give notice, in writing, of such claim, to the Secretary of State, stating the particulars thereof, and how the same has arisen, which notice the Secretary of State shall refer to the head of the Department, with respect to which the claim has so arisen, and thereupon the Minister may, at any time within thirty days after such notice, tender what he considers a fair compensation for the same, with notice that the said claim will be submitted to the decision of the arbitrators, unless the sum so tendered is accepted within ten days after such tender."

That jurisdiction is transferred to the new tribunal. As far as possible, I have been treating this Bill as a Bill relating to procedure, and not dealing with the substantive law.

Mr. WELDON. According to the section the hon. gentleman has quoted, it would be a matter of favor, on the part of the Government, to give compensation.

Mr. THOMPSON. Yes.

Mr. WELDON. But, in this case, the court is a final one. It is a judicial tribunal, and there might be a question as to whether there was any option on the part of the Government.

Mr. THOMPSON. A Minister will be enabled to refer to this court any claim made against a Department. Thus, it will enable, for instance, the Minister of Railways or the Minister of Public Works to give redress in that way, that he could not do otherwise, as the subject would have no remedy by petition of right. In respect of these claims which are the subject of reference to arbitrators, and in respect of which there is no legal obligation, though there is the moral obligation after the award has been given, in respect of these claims we preserve precisely the same remedy.

Mr. MILLS (Bothwell). I asked the hon. gentleman the other day when he gave notice that he was about to introduce this Bill, whether it was to establish judicial procedure or a mere enquiry, with the view of leaving with the Government the discretion as to whether payment would take place

or not. He said it was to be a judicial tribunal giving judgment in all cases, and not a mere tribunal for the purpose of giving recommendations to the Government. Under this provision, it is not a judicial tribunal but merely a tribunal for the purpose of informing the conscience of the Administration.

Mr. THOMPSON. The hon. gentleman must have misunderstood my last explanation. I intend that the Bill shall provide that, where reference is made by the Minister, the judgment is final, precisely as on a petition of right, and we must pay; but we preserve, as we did in the Arbitration Act, the power to refer claims in respect of which a petition of right would not lie.

Mr. DAVIES (P.E.I.) When the hon. gentleman does exercise that option, will the judgment be final? There may be something said in favor of preserving the law as it stands, but I am sure he must recollect the number of cases which arose through accidents on the Prince Edward Island Railway, and must admit, from his appreciation of these cases, that the law is not such as would commend itself to his judgment. The judge in one of the cases gave damages to the extent of \$30,000, and in others from \$2,000 to \$5,000, according to the injury sustained in each case. The Crown appealed to the Supreme Court, and the Supreme Court held the bald doctrine that the Crown was not liable for any negligence on the part of its servants. In other words, the Crown could become a carrier and sell tickets, and if, through the negligence of its officials, a passenger was injured, he had no remedy. The matter was discussed at some length when the Minister of Railways introduced his Bill consolidating railways. The hon. gentleman then intimated it was the intention of the Government to move in the direction of giving a special remedy against the Crown, and when I saw this clause I was satisfied it had a larger scope than my hon. friend claimed for it. I thought it was the intention of the Government to give to a passenger on the Intercolonial Railway or the Prince Edward Island Railway the same right as a passenger has on the Canadian Pacific Railway, namely, if he is injured through the negligence of a servant of the corporation, he has a remedy against the corporation. The Supreme Court applied, in the cases I have mentioned, an old, obsolete, technical rule, that ought not to apply to this country. It is a rule which is unfair to the people of the Maritime Provinces, who are compelled to travel on these Government roads, and who carry their lives in their hands, as no matter what accidents may happen through the negligence of the employés, they have no redress.

Mr. THOMPSON. I think this is a subject which ought to be very fully considered and a remedy applied, but I do not think that can be done in this Bill. In the decision of the Privy Council on a recent petition of right, the principle is distinctly laid down that the Crown is liable for its wrong, when that wrong is a breach of contract.

Mr. MILLS (Bothwell). In this Bill the Minister of Justice has not defined the jurisdiction of the court. He has stated what its original jurisdiction is, and what its concurrent jurisdiction is. It is not merely a Bill providing for a mode of procedure, but also indicating the subjects with which the court may deal.

Mr. WELDON (St. John). The Crown has practically admitted its obligation in many of these cases by referring the matter to the judgment of arbitrators. I would suggest that the responsibility be extended to all cases of wrongs committed as well as to breaches of contract.

Mr. MILLS (Bothwell). There is an English case, the title of which I cannot call to mind, where the doctrine was laid down that where certain duties devolved on the Department, and that Department entered into contract or

Mr. MILLS (Bothwell).

arrangement with the subject, it was a suit to obtain remedy, because the contract or arrangement was not one made with the Crown, but with a body created by the Crown.

Mr. McCARTHY. I would point out to the Minister of Justice, that the 19th and 20th clauses of the Bill seem to lay down matters of law. They certainly are no matters of procedure, and, therefore, it would not be at all outside the general lines of the Bill, if my hon. friend would provide for what seems to be conceded by all as right, and that is the liability of the Crown in all cases. As the hon. Minister has stated, the decision of the Supreme Court might not probably be arrived at to-day, because it does appear that when a man buys a ticket there is a contract, which gives jurisdiction under the ordinary petition of right. I remember one case where the Crown were liable, where the liability was admitted, and where the Crown only dealt with the party simply as a matter of grace. It was a case in which a vessel somewhere in the Maritime Provinces—I forget the name of the ship, but it was a valuable ship I know—was injured and sank, by running against a Government dredge which was put in such a position in the harbor that the vessel, without fault on her part, ran against the dredge. There was a hole stove in her, and she sank.

Mr. WELDON (St. John). That was the *City of St. John*.

Mr. McCARTHY. Yes. It appeared that the Government, in order to carry on its business economically, had built this dredge. If it had been built by a contractor, the contractor would have been responsible, but the Crown was not responsible, and the Crown saw fit to deal with it as it sometimes does with persons who suffer loss. There is no use in discussing the matter now, but I will ask the Minister if, before a further stage is taken, he will consider the question and see the principle we are contending for, and introduce an affirmative clause defining the liability of the Crown.

Mr. WELDON (St. John). I was the counsel in the case to which the hon. gentleman refers. We sued the captain of the vessel and recovered large damages against him twice, but the Crown refused to accept any liability whatever.

Mr. DAVIES (P.E.I.) The hon. gentleman will see that, according to this section, the limitation is so strong in the concluding words that the court could not entertain the reference made to them, unless direct negligence was proved on the part of a servant. Sometimes injuries are sustained, and you cannot trace them to the negligence of any particular servant. Take the case that we have been talking about, the case of sleepers, where the timbers get actually rotten, you could not trace that. I understand from this section that the court could only entertain the matter if negligence were proved on the part of a servant.

Mr. THOMPSON. I do not think it would be so restricted as that.

Mr. MILLS (Bothwell). Suppose Parliament failed to vote the money and the repairs could not be made, you could not call that the negligence of a servant?

Mr. THOMPSON. I should call that breach of contract.

Mr. DAVIES (P.E.I.) Suppose the officers of the road had \$50,000 voted to repair the road, used that amount prudently and carried out the work efficiently, but it required \$100,000 to put the whole road in repair, and an accident occurred because sufficient money was not voted—that could not be put down to the negligence of a servant.

Mr. THOMPSON. I would rely upon the contract contained in my ticket.

Mr. DAVIES (P.E.I.) I did that, and the Chief Justice and the other judges told me that I had no case.

Mr. THOMPSON. That is a reflection on the court.

On section 17,

Mr. WELDON (St. John). Where provincial legislation has been had, it is better that the reference should remain to the Supreme Court instead of to the Court of Exchequer. According to my recollection of the sections governing this matter, they provide that, where there is provincial legislation empowering them to do so, the judges of the Provincial Court may refer a matter to the Supreme Court. It would be better that such a matter should be referred to the full court than to a single judge.

Mr. THOMPSON. The sections which refer to this subject are those which refer to the Court of Appeal, and they provide that any controversy between the Dominion and any Province, or between any two Provinces, may, when the Legislature of any Province has passed an Act to that effect, be referred to the Supreme Court. The Province of Ontario has passed the Act, and the Province of Nova Scotia has passed the Act.

Mr. McCARTHY. But in this case there would be required to be further provincial legislation, because the reference is to the Supreme Court and not to the Exchequer Court. Surely, in a matter which is in dispute between the Dominion and a Province or between two Provinces, it should not go to a single judge, but to the highest court that we have. There would always be an appeal.

Mr. THOMPSON. At present it is tried by one judge at first in the same way.

Mr. McCARTHY. Oh, no. It goes directly to the court.

On section 18,

Mr. AMYOT. By this clause I am afraid the Crown will have the power to bring a man who is sued for a penalty from any part of the Dominion to plead his case in Ottawa. Suppose an action is taken against a man in Prince Edward Island, he may have to come to Ottawa and defend himself.

Mr. THOMPSON. This is giving concurrent jurisdiction, and that is the case now. The provision is merely permissive.

Mr. AMYOT. That is what I object to.

Mr. THOMPSON. That is the present law.

Mr. AMYOT. The present law causes any amount of embarrassment. We have to come to Ottawa, incur many expenses, appoint agents here, and so on. The Crown will have the choice of bringing any man to Ottawa to defend his case. It is rather hard to bring a man from Prince Edward Island to Ottawa because you believe he is subject to a penalty. You bring him to Ottawa, and, if the court is not ready or the case is not ready, he may have to come here three or four times. I know the jurisdiction is concurrent, as the Crown chooses to make it, and they may make the man come here five or ten times, perhaps.

Mr. WELDON (St. John). That is not only in the case of an action by the Crown by penalties, but by an informer. I would also call the attention of the Minister of Justice to sub-section 6, which is very wide.

Mr. THOMPSON. I am going to move an amendment to that. I may say to my hon. friend from Bellechasse (Mr. Amyot) that the effect of this will be to ameliorate that provision of the law. At present, the courts have concurrent jurisdiction. The Crown can proceed for a penalty either in the Provincial Court or in the Exchequer Court here if it chooses. This is intended to be a migratory court, and it will not follow that, because the proceedings

are instituted here, the case will be tried here. On the contrary it is recognised that the judge is to go where it is most convenient; and, as to the Crown bringing proceedings oppressively against a subject, there is always the responsibility of Ministers in Parliament to act as a check.

Mr. AMYOT. Judgment on that will be given only every five years by the people, and many people might suffer during that time.

Mr. THOMPSON. The existence of the responsibility is a check upon the power which a Minister might use oppressively, and I think it has been shown to be a check upon the exercise of that power, although it is a very arbitrary one, to bring all proceedings for penalties here, by the fact that it has not been used in that way. Proceedings have never been taken here unless Ottawa was a convenient place to try the question.

Mr. McCARTHY. I would like the Minister of Justice to state what is covered by this sub-section 6.

Mr. THOMPSON. I intend to move an amendment to that.

Mr. McCARTHY. Before the hon. gentleman makes his amendment, I want to ask whether it is intended to take away the jurisdiction now exercised by the Minister of Agriculture with regard to that.

Mr. THOMPSON. No; but I intend to amend section 6 so as to limit it to cases in which the Attorney General appears.

Mr. McCARTHY. I would ask the hon. gentleman to consider whether it will not be advisable now to take away that jurisdiction? The Minister of Agriculture could tell whether it is a jurisdiction that ought to be exercised by him. A year or two ago, you may remember, Mr. Chairman, I brought in a Bill for the purpose of endeavoring to make some machinery for the trial of these cases before the Minister of Agriculture, and although my Bill was rejected, still there was a promise made by the present Minister of Railways that he would bring down a Bill incorporating the procedure which was in my measure. The hon. Minister, however, in the pressure of other business, has forgotten that promise. Now, there is an opportunity for the transfer from the Executive Department to the Judicial Department of these cases. There can be no good reason whatever why a deputy head—because it is a deputy head, sometimes a mere clerk, who sits beside the Minister of Agriculture and tries these questions—why people's rights should be disposed of in that way without any appeal. Witnesses are not examined upon oath, there is no power to bring witnesses who may know. It seems to me extraordinary, and I would press, therefore, on the Minister of Justice that he would so amend one of these sub-sections as to give jurisdiction, ample and complete, to the new Court of Exchequer.

Mr. POPE. The objection I have to it is this: It was put into the law, when the law was first framed, for the purpose of reaching a decision upon matters of fact which it was supposed the Minister could understand as well as legal gentlemen. These were the questions: Did that man import that thing into the country after the time allowed by law? Or, did he make it in the country as the law required he should do? These were the questions for the Minister to decide. It is very important that a man taking out a patent should have the use of his patent as early as possible. If you keep him two or three years in a court of law, going from one court to another, you destroy the usefulness of that patent. And when I was Minister of Agriculture, when I had a case brought before me, it was supposed that it would be decided quickly, as the only question to be decided was the matter of fact. But as to any other cases under the

Patent Act, as to any infringement, or anything of that kind, they go before the courts in the ordinary way, and parties fight them out.

Mr. McCARTHY. What the hon. gentleman just said shows the impropriety, if I may say so, of continuing this jurisdiction. It is important, the Minister of Railways says, to try a question of fact, but this question of fact is tried on the evidence of the witnesses who are not sworn, and it is tried by a tribunal who has no power to compel the attendance of witnesses; so a man, who may be able to clear up the matter, declining to appear, cannot be forced to attend.

Mr. POPE. Amend that.

Mr. McCARTHY. The hon. Minister promised to amend it sometime ago, but has not done so.

Mr. POPE. You know very well I was not Minister of Agriculture, the next year.

Mr. McCARTHY. But I thought the promise the hon. Minister made bound his successors in office. At all events, I do not like to make an effort again in that direction, after the summary rejection of my feeble efforts to improve that. I would ask the Minister of Justice to consider whether it would not be proper to deal with this matter now? This court sitting here at Ottawa, and expressly charged with all the machinery, and all the facilities of trying questions of this kind, is surely a more proper tribunal than the Minister of Agriculture. Now, as to the matter of delays: my experience, not very great, it is true, is that there is certainly no expedition in the trial of cases before this tribunal.

Mr. THOMPSON. That was not overlooked. But I would ask my hon. friend to allow me to get this court on its feet, without undertaking to revise all the statutes in doing so. The other suggestion was for amending the Petition of Right Act. This would involve a very serious amendment to the Patent Act. I think all this Bill undertakes to deal with is pertinent to the subject of the Exchequer Court. If you will allow me, I will now move these amendments. In sub-section a, after the words "in all civil cases," add "relating to the revenue." In sub-section b, after the words "in all cases in which it is sought," add the words "at the instance of the Attorney General."

Mr. DAVIES (P.E.I.). It seems to me that sub-section b gives enormous power of jurisdiction to this court. There might be a bond in British Columbia or down in Prince Edward Island for a small amount, and you give jurisdiction.

Mr. THOMPSON. That is just a transcript of the present Act.

Mr. AMYOT. If the old law was bad, it is time to change it now.

Mr. THOMPSON. We are changing it by putting this concurrent jurisdiction in the hands of this court.

Mr. LANGELIER (Quebec). It is possible that the civil right might belong to the Crown under local law. Suppose the Federal Government purchase a property under the law of Quebec, an action taking place with respect to it, might be brought before the Exchequer Court, and this provision in the Bill would be an invasion of provincial rights. The only court in which it could be brought would be a court under the law of Canada, whereas it should be under the provincial law.

Mr. THOMPSON. If the Crown acquired a property, I claim we would have the right to decide as to what court should adjudicate on any claim respecting it.

Mr. LANGELIER (Quebec). I will state a case. Suppose the Crown purchases a property in Quebec, but the property is not transferred, and the Crown take action against the

Mr. POPE.

seller, that must be done before the Exchequer Court under this law.

Mr. THOMPSON. We had the right to settle that point, and the Province of Quebec could not pass any statute limiting our right to say where it should be tried.

Mr. LANGELIER (Quebec). It is a right under the laws of the Province of Quebec.

Mr. McCARTHY. The moment the Crown purchases any property it belongs to the Dominion, and under a clause of the British North America Act we have jurisdiction to make laws respecting it.

Mr. LANGELIER (Quebec). This Parliament has only jurisdiction to constitute courts for the better enforcement of the laws of Canada.

Mr. McCARTHY. The property is purchased; it becomes the property of the Crown; the Crown is represented by the Dominion. That moment this Parliament has power to make laws relating to that property.

Mr. MILLS (Bothwell). No. The hon. gentleman will see there are certain powers given to expropriate property. For all those purposes the property will be under our jurisdiction. There might be circumstances under which we might acquire property by contract or by negotiation, and such property would not be under our jurisdiction.

Mr. McCARTHY. Yes.

Mr. MILLS (Bothwell). You purchase a certain quantity of land for a farm. You cannot take that farm from under the control of the Province.

Mr. McCARTHY. Yes, you can. Take the experimental farm which the Dominion has expropriated in the county of Carleton. It has ceased to be under the control of the Provincial Legislature and is now under the control of this Parliament.

Mr. MILLS (Bothwell). But that is limited, for we would be compelled to conform to drainage and health laws prescribed by the Province. So it is with respect to all property expropriated under the powers of eminent domain under the British North America Act. Here, for example, is a railway corporation which is authorised to expropriate lands under powers given it by the British North America Act. Can you say they shall not be subject to health regulations with respect to drainage?

Mr. McCARTHY. I am not speaking as to what powers may belong to corporations chartered by this Parliament. My point is this: The moment the Dominion expropriates property, although purchased from individuals and subject to provincial laws, that moment it became subject to laws made by this Parliament, and the Local Legislature cannot make any laws regulating or dealing with the property of the Dominion. So I say that the moment property is acquired in the Province of Quebec or elsewhere by the Dominion, it comes under the laws of this Parliament.

Mr. LANGELIER (Quebec). My difficulty would be removed if the words "under the laws of the Dominion" were added.

Mr. WELDON (St. John). Where does the hon. member for Simcoe (Mr. McCarthy) find that power in the British North America Act?

Mr. McCARTHY. "The public debt and property." It is in the very first clause, line one. The Provinces cannot tax any buildings owned by the Dominion, any post office buildings or similar buildings, nor can they make any laws relating to them. They could not insist that the Government should drain or do anything, for Dominion property is under the jurisdiction of this Parliament.

Mr. AMYOT. How has the clause been amended?

Mr. THOMPSON. We have added the words "at the instance of the Attorney General." He could only claim as Attorney General that the patent be set aside and the land should be revested in the Crown.

Mr. AMYOT. I said that the words Attorney General apply to the last part but I may be wrong.

Mr. WELDON (St. John). The 25th section of the British North America Act says that such properties shall not be subject to taxation.

Mr. McCARTHY. The hon. member for Quebec (Mr. Langelier) speaks of property which is purchased by the Dominion, and in that case it would be subject to Dominion law.

Mr. LANGELIER (Quebec). My point is that this Parliament has not jurisdiction in the case of such property, but if the hon. member for North Simcoe (Mr. McCarthy) is correct this Parliament might create a court to deal with property held by the Dominion Government.

Mr. THOMPSON. Will the hon. gentleman mention the sub-section to which he refers?

Mr. LANGELIER (Quebec). It is sub-section b.

Mr. THOMPSON. I certainly entertain the view that when property is acquired by the Crown this Parliament is the only Parliament which can deal with it.

Mr. LANGELIER (Quebec). But it does not follow as a consequence that this Parliament can create a court for that purpose.

Mr. THOMPSON. That is involved in it. The Local Legislature cannot create a court to deal with our property; they cannot confer jurisdiction on any court to deal with it; they cannot give any procedure, and it follows that if the Provincial Legislatures cannot, we can, because we have all the power which is not given to the Provinces.

Mr. LANGELIER (Quebec). But all the powers granted are specially mentioned in this particular clause.

Mr. THOMPSON. The hon. gentleman is confining his attention to one particular clause. I do not think that this clause is the only one that will apply, because this is not the creating a court, but rather regulating the procedure in a court.

Mr. DAVIES. It is a new court established by this Act.

Mr. THOMPSON. It is merely a transcript of the present law.

Mr. DAVIES (P.E.I.). The point is simply that by the 101st section we can constitute a court for two specific purposes, but we cannot constitute a court under provincial jurisdiction; we must take advantage of the laws of the Provinces.

Mr. THOMPSON. That is probably so under the 101st section, but under the one relating to public debt and property it appears to me that the sole power to legislate lies here.

Mr. McCARTHY. The moment it becomes the property of the Dominion it is subject to Dominion law, and the clause says the court may be established for the better administration of the laws of Canada.

On section 19,

Mr. McCARTHY. I would like to ask the Minister whether all the usual limitations are included here? It appears to me that all the provisos which are necessary to take in a case are not provided for. For instance, a person may have a right to property in reversion, but he may find himself cut off without a remedy. I would suggest that the section of the Limitations Act be provided for in this Bill

so as to afford the subject the same protection as in other cases.

Mr. THOMPSON. We had better let the section stand for the present.

On section 20,

Mr. WELDON (St. John). I think that the limitation should confine the holding of the court to the Province in which the case arises.

Mr. THOMPSON. The object of the clause is to prevent claimants proceeding in two places.

Mr. McCARTHY. The case of the Western Counties Railway illustrates that fact. But this clause would shut out an action against the Crown in such a case.

Mr. THOMPSON. The Western Counties Company were not professing to act under the authority of the Crown.

Mr. McCARTHY. Their defence was that the then Minister of Public Works, the hon. member for East York (Mr. Mackenzie) gave instructions to Mr. Brydges to take possession. Their only defence was that they were acting under the Crown; the Crown professed to be acting under the statute, but that clause would shut out the remedy against the Crown in the case of the Western Counties Railway.

Mr. THOMPSON. My point is this: that the Western Counties Company was not in a position to justify under the Crown. They were not acting under the authority of the Crown or professing to do so. They set up the defence that they were, and judgment was given against them because they were not.

Mr. McCARTHY. Judgment was not given against them because they were not acting under the authority of the Crown, but because the Crown had no right to give that authority. The statute was passed here in 1874, by which it was intended to transfer the property of the Windsor and Annapolis Railway to the Western Counties Railway Company. The hon. member for East York (Mr. Mackenzie) gave instructions to Brydges, who was then in charge of the Government railway, to take possession of the Windsor and Annapolis line and to put the Western Counties Railway Company in possession, which he did. The court held that the statute did not confer that power, and that the Western Counties Company were trespassers. But this clause would have been an absolute defence to the Crown, and would have prevented the Crown being responsible in that very case.

Mr. THOMPSON. The only result would have been that the petition of right could not have been filed for a few months after it was filed. But I have no objection to striking out the words "or professing to act," as they may lead to ambiguity.

Mr. WELDON (St. John). I think there ought to be some restriction upon the judge as to naming the place for the trial of a claim. I think it should be within the Province in which the cause of action lies.

Mr. THOMPSON. I do not think we ought to restrict the venue. This is a mere transcript of the present Act. The judge will, of course, as all judges are bound to do, fix the venue at the most convenient place. There might be a case that was not contested as to the facts at all, and not requiring the judge to go to the Province, but such an amendment would require him to do so.

Mr. WELDON (St. John). He might be limited in cases of fact. While this is a transcript of the old law, the old law related to five judges who had control of the business, and they could regulate it to suit themselves.

Mr. THOMPSON. When we come to section 26, we will deal with trials of issues of fact.

Mr. AMYOT. We might provide that it will be the duty of the judge, as much as possible, to sit in the Province where the cause of action originated.

Mr. THOMPSON. An expression of opinion on the part of Parliament like that would be after all expressing only what is the plain duty of the judge, and a duty always recognised by judges. In all systems of procedure the principle is recognised that the judge must go to the most convenient place of trial, subject, of course, to the rules of the court, which rules are to be laid on the Table and subject to the approval of Parliament.

Mr. MILLS (Bothwell). I think this is an illustration of the impropriety of constituting this court of a single judge. If you retained the present Exchequer Court, you might divide the country up into districts, and say in what particular district or circuit an action might arise. But under this an action might arise in British Columbia and be tried in Ottawa.

On section 22,

Mr. LANGELIER (Quebec). What are to be the rules of evidence in this court?

Mr. AMYOT. If the laws of England change every year, we shall have to follow them. I think we should say what laws of England shall apply to us.

Mr. THOMPSON. The rules now prevail which prevailed before the adoption of the judicature system in England. As they are peculiarly applicable to the Exchequer Court, notwithstanding the adoption of the judicature system in England, those rules still apply to Exchequer cases. We, therefore, simply adopt the present law, which has been prevailing for the last forty or fifty years in Exchequer cases.

Mr. AMYOT. Could we not provide that the practice and procedure of our Superior Courts be followed? This would prevent the application here of the new rules of practice in England.

Mr. THOMPSON. They would not apply here.

Mr. MILLS (Bothwell). In the Circuit Court of the United States, the rules of evidence and procedure are the rules in the State courts of that particular portion of the district where the cases arise. The practice and procedure for the whole circuit is not uniform, and the practitioner is only required to be familiar with the practice of his own State. There might grow up in time a very considerable divergence in practice among the different Provinces in the Dominion. The procedure and practice in Ontario is different from that in British Columbia, and it would be inconvenient to insist on uniformity in practice for a court that extends over the entire Dominion.

Mr. THOMPSON. The hon. gentleman will find that has been done. This is a new section and is intended to preserve the existing practice. There is another section of our Statutes which provides for what the hon. gentleman wants. Chapter 139 of the Revised Statutes has a section relating to evidence, and section 10 in that provides that in all proceedings over which the Parliament of Canada has legislative authority, the laws of evidence in force in the Province in which such proceedings are taken shall apply to such proceedings. It keeps the law of evidence in each Province applicable to proceedings of the Exchequer Court.

On section 24,

Mr. AMYOT. This clause says, "no fiat shall be given." I would suggest that the words "shall be necessary" should be substituted.

Mr. WELDON (St. John).

Mr. THOMPSON. That would change the meaning. The intention is to provide, when the head of a Department refers a claim, there shall be no fiat given on a petition in respect of the said claim. This is to make the one adjudication final.

On section 54,

Mr. THOMPSON. I propose to insert a provision which will enable the head of the Department to use the referees for the purpose of having a claim against the Crown reported upon without going to the court. The provision is as follows:—

"That the head of any department in connection with the administration of which any claim arises may, instead of referring such claim to the court for adjudication thereon, refer the same to one of the official referees for examination and report both as to the matters of fact involved and as to the damages, if any, sustained, and such official referee shall make such examination upon the oath or affirmation of witnesses, and shall report his finding upon the questions of fact, and the amount of damages, if any, sustained, and the principle upon which such amount has been computed."

On section 59,

Mr. THOMPSON. I propose to make the clause read thus: "All matters pending before such official arbitrators when this Act comes into force." I would ask the committee to reconsider section 50 in order to make a verbal amendment as follows: "Any matter pending in the Exchequer Court when this Act comes into force." Section 13 is amended so as to make provision, as we have done in the Estimates, for an assistant reporter.

Mr. LANGELIER (Quebec). There seems to be some contradiction between section 13 as amended, and section 112. Section 13 says, that the Governor in Council may appoint the necessary reporter to report the decisions of the Supreme Court; while section 112 says the decisions of the Supreme Court may, if the Governor in Council so determine, be edited by the registrar of the Supreme Court. I do not see any necessity for having so many people to report the decisions of the Supreme Court.

Mr. DAVIES (P.E.I.) Now that you have withdrawn the original jurisdiction from the Supreme Court altogether, it seems hardly necessary to duplicate the reporter.

Mr. THOMPSON. There should be an amendment in section 112. The word "edited" should be "published." That is what it is in the present Act.

Mr. DAVIES (P.E.I.) He is supposed to edit them now, is he not?

Mr. THOMPSON. He edits them to the extent of revising the manuscript and supervising the preparation of the head notes. He takes charge of the accounts for the publication of all the reports.

Mr. LANGELIER (Quebec). I understand the reason the assistant reporter was appointed was, that there was some difficulty on account of the difference between the laws of the Province of Quebec and those of the other Provinces. The *precis* writer was not as familiar with the laws of the other Provinces as he was with the laws of Quebec. I understand now that an assistant reporter, for whose salary a provision has been made this Session, has been appointed. I do not see any necessity now for anybody else but the reporter and his assistant.

Mr. THOMPSON. The reason for the appointment was to enable them to get up with the work, which was a good deal in arrears.

Mr. DAVIES (P.E.I.) Was not that caused largely by the reporter being a good deal of the time employed in the Exchequer Court?

Mr. THOMPSON. No, he was secretary to the judges; but he was not employed in the Exchequer Court otherwise. I think that ought to be struck out. I do not think the reporter ought to have any other duties than to report. The statute at present contains this provision, that five judges of the court shall constitute a quorum, but in the absence of a judge from illness or any other cause he may hand in his judgment to be delivered by a brother judge. Some doubt has arisen as to whether judgment can be given unless a quorum of judges are present. I, therefore, propose to amend the clause by setting forth that in such cases it shall not be necessary for five judges to be present at the delivery of such judgment.

Mr. TUPPER (Picton). I propose to add the following words to section 24:—

“ And in cases in the Provinces of Nova Scotia, New Brunswick and Prince Edward Island wherein the sum or value of the matter in dispute amounts to \$250 or upwards in which the court of first instance possesses concurrent jurisdiction with a Superior Court.”

At present, in those Provinces, we have no regular Court of Appeal, as the Provinces of Quebec and Ontario possess. We have there County Court jurisdiction and one Supreme or Superior Court. Under the present Supreme Court and Exchequer Court Act no appeal lies for any case originating in the County Courts of those three Provinces, and the Local Legislatures are continually extending the jurisdiction of those County Courts, until, in the Province of Nova Scotia, the County Court decides cases dealing with amounts as high as \$400; and we have the anomalous state of affairs that, in those cases in which the Superior and County Courts have jurisdiction, the defendant cannot come to the Supreme Court of Canada, if the case has been tried in the County Court, but an appeal will lie if the case is tried in the Supreme Court in the first instance. In order to prevent any abuse of this privilege of appealing cases from the courts of first instance, they are limited to cases involving an amount of \$250. I may mention that I have submitted the amendment to members of the profession from those Provinces, and it has met with their approval.

Mr. WELDON (St. John). I am very glad my hon. friend has moved this amendment, because the Local Legislatures are continually increasing the jurisdiction of the County Courts; and in fact in New Brunswick since the Supreme and Exchequer Court Act was passed the jurisdiction of the County Court has been largely extended, and the right of appeal which we had has been practically taken away by the action of the Local Legislature. The proposed amendment is one carrying out the intention of the Supreme Court Act.

Mr. THOMPSON. I want to call the attention of the Committee to a proposed amendment to section 29 of the Revised Statute. It is as follows:—

“ No appeal shall lie under this Act, from any judgment rendered in the Province of Quebec in any action, suit, cause, matter or other judicial proceeding wherein the matter in controversy does not amount to the sum or value of \$2,000.”

Now there has been a decision to the effect that the amount in controversy must be ascertained by the amount claimed by the plaintiff, but it had the effect of enabling the plaintiff to say whether the matter should be appealable or not. If his real, *bond fide* claim was only one thousand dollars, if he claimed two thousand it was appealable, and that has never been remedied by statute. I may take the liberty of saying that the amendment was suggested by one of the judges.

Mr. LANGELIER (Quebec). I am quite sure that this amendment will meet with a great deal of opposition in the Province of Quebec. On the first occasion on which this matter came before the Supreme Court, there was a division in the court, a majority of the

judges being of opinion that so far as cases from Quebec were concerned, the amount in controversy should be the amount demanded, and not the amount granted by a judgment of a court. Since that time that rule has been followed without interruption in the Supreme Court, with regard to the Province of Quebec. That is the rule which has been adopted by our Court of Appeals, and that is one of the reasons why it was mentioned in the statute constituting the Supreme Court. I am quite sure that the whole bar of Quebec will be opposed to this amendment, as they are accustomed to the law as it now prevails, and as it has prevailed for over thirty years. I may say that we follow the same rule in appeals to the Privy Council.

Mr. THOMPSON. Of course the bar of the Province has not had an opportunity of considering it; and as there is no hurry about the matter it may stand for the present.

Mr. McCARTHY. The amendment which I propose to the 41st section is to extend the time of appealing from 30 to 60 days. I think experience has proved that 30 days is too short a time to permit parties to perfect their security. It does not interfere with section 41, where notice is required; the notice will remain as it is. But in the perfecting of the appeal, and especially in appeals from the outlying Provinces, 30 days has been found to be too short a time. You can appeal to the Privy Council any time within two years, and in England you can appeal from a court to the House of Lords any time within one year. I may state also that 30 days is allowed in Ontario to appeal from a Divisional Court to the Court of Appeal.

Mr. LANGELIER (Quebec). I think the time is too short, but, perhaps, putting it at 60 days without leaving any power of execution would be too long. In Quebec, in appealing from the judgment of the Superior Court to the Court of Appeals, a party may take out an appeal any time within a year, but he cannot prevent execution except for 15 days. You might give a longer time, leaving power in the meantime to take out an execution.

Mr. McCARTHY. This does not stay execution at all. The execution may go on, and the appeal may be made within 60 days. There are constant applications made to the courts now to extend the time, and the courts will not do so unless the party proves that he cannot pay within 30 days.

Mr. WELDON. If there is any change made, I should like it to be in the direction of making the time longer.

On schedule B,

Mr. DAVIES (P.E.I.) I would like to ask the hon. gentleman if he sees his way to amending the 52nd section of the Act which confers concomitant powers on the judges of the Supreme Court, with regard to writs of *habeas corpus*. There have been some serious cases in which writs have been refused in the lower courts, and the parties come up to the Supreme Court and get a writ from a single judge. I believe that has been found, in practice, not to work well, and I thought the hon. gentleman might have proposed some amendment withdrawing that power.

Mr. THOMPSON. I think that will be found not to work well, and I think it is a mistake to have concurrent power for the judges of the Supreme Court for the issue of writs of *habeas corpus*, except where the writ is incidental to some case before them. But the power is very seldom exercised, and I understand that the attempt to take it away some years ago was attended with some remonstrances, and I do not propose attempting it now.

Mr. DAVIES (P.E.I.) The power is now being used extensively under the Scott Act.

Committee rose and reported progress.

MINISTER OF TRADE AND COMMERCE.

Sir JOHN A. MACDONALD moved that the House resolve itself into Committee to consider the following resolution:—

That the salary of the Minister of Trade and Commerce be \$7,000.

Motion agreed to, and House resolved itself into Committee.

(In the Committee.)

Mr. MILLS (Bothwell). There is no provision for the other officers.

Sir JOHN A. MACDONALD. The Civil Service Act provides for all that. I move that the resolution be referred to the Committee of the Whole for consideration with the Bill.

Resolution concurred in, and referred to the Committee of the Whole on Bill (No. 7).

EXCHEQUER COURT OF CANADA.

Sir JOHN A. MACDONALD moved that the report of the Committee of the Whole, on resolutions (p. 590) respecting the salaries of the judge and officers of the Exchequer Court of Canada, be now received.

Resolution concurred in, and referred to the Committee of the Whole on Bill (No. 111).

CUSTOMS AND INLAND REVENUE.

Sir JOHN A. MACDONALD moved the second reading of Bill (No. 41) respecting the Department of Customs and the Department of Inland Revenue. He said: I do not propose that the House go into Committee of the Whole on the Bill to-night, as there are some amendments to be printed and distributed. I shall take the opportunity of adopting the suggestion of the hon. member for South Oxford (Sir Richard Cartwright) of leaving it to the option of the Government to put the two subordinate officers under the Minister of Finance or under the Minister of Trade and Commerce.

Motion agreed to, and Bill read the second time.

CUSTOMS DUTIES.

Sir JOHN A. MACDONALD moved the second reading of Bill (No. 93) to amend the Act respecting the Department of Finance and the Treasury Board. He said: The exact effect of the Bill is, that instead of having the cast iron rule under the present statute appointing certain members of the Government, certain heads of Departments as members of the Treasury Board, the members of the Treasury Board will be appointed by order of the Governor General in Council.

Sir RICHARD CARTWRIGHT. Under this you might have neither the Minister of Finance nor the Minister of Trade and Commerce on the Board.

Sir JOHN A. MACDONALD. The Governor in Council and the Ministers of Trade and Commerce and Finance will attend to that.

Sir RICHARD CARTWRIGHT. That might be, but they are not *ex-officio* members of the Board.

Motion agreed to, and Bill read the second time; House resolved itself into Committee.

(In the Committee.)

Sir RICHARD CARTWRIGHT. I should imagine some legal officer in the Government should be on the Board. If we are going to have two of them one or the other should be on *ex-officio*, and also the Minister of Finance.

Mr. DAVIES (P.E.I.)

Sir JOHN A. MACDONALD. The whole of this Bill is on the principle that the Council are the best judges as to who should sit on the Treasury Board.

Sir RICHARD CARTWRIGHT. I take it for granted, as a matter of justice, you will have one, as the questions which come up before the Board have almost always a legal element.

Sir JOHN A. MACDONALD. Yes, and therefore we have always of late days the Minister of Justice on the Board.

Bill reported, and read the third time and passed.

FANNY MARGARET RIDDELL RELIEF BILL.

Mr. TUPPER moved the first reading of Bill (No. 145) for the relief of Fanny Margaret Riddell (from the Senate).

Motion agreed to, and Bill read the first time on a division.

DOMINION ELECTIONS ACT.

Sir JOHN A. MACDONALD moved the second reading of Bill (No. 115) to amend the Dominion Elections Act. He said: This Bill, in effect, enacts one of the clauses in the Bill introduced by the hon. member for West Ontario (Mr. Edgar), with the addition of constables, who were omitted in the clause suggested by the hon. gentleman.

Motion agreed to, and Bill read the second time; House resolved itself into Committee.

(In the Committee.)

Sir RICHARD CARTWRIGHT. Is this a retrospective Act?

Sir JOHN A. MACDONALD. Yes, it is declaratory.

Sir RICHARD CARTWRIGHT. This may have the effect of confirming an election wrongfully carried, if these people had not the right to vote.

Sir JOHN A. MACDONALD. I have no doubt that they have the right to vote, but this is declaratory of that fact.

Sir RICHARD CARTWRIGHT. Suppose the courts should take a different view?

Sir JOHN A. MACDONALD. But they will not take a different view.

Sir RICHARD CARTWRIGHT. They will not after this Bill passes, I presume.

Mr. McCARTHY. I think it is better to put this as a sub-section to section 42 of the Act, which is the clause which disqualifies certain parties, and this would explain that it was not intended to disqualify these people. I propose that the section shall read:

The following shall be read as sub-section c of clause 42 of the Dominion Elections Act:—

“Nothing herein contained shall disqualify or make deputy returning officers, poll clerks and constables, whether appointed by the returning officer or by a deputy returning officer employed in connection with any election, incompetent to vote in any election, and it shall be declared that such persons are and always have been entitled to vote at an election of a member of the House of Commons of Canada.”

Mr. MILLS (Bothwell.) Do you strike out the preamble?

Sir JOHN A. MACDONALD. No.

Mr. MILLS (Bothwell). I want to see what the effect is.

Mr. McCARTHY. Just the same. It is the same as the Local Act. It is simply declaratory.

On section 2,

Mr. McCARTHY. Before section 2 is put, I move the amendment of which I have given notice, which is as follows:—

The following is to be read as a sub-section of section 13 of the said Act:—

(a.) That if, in the opinion of the returning officer, the polling districts fixed or defined by the revising officer or revising officers are too large, or for any reason are inconvenient to any considerable number of electors in such polling district, he may fix more than one polling station for such polling district, placing the same in convenient places therein.

The object is to enable the returning officer to have additional polling places if the polling districts are too large. That is the present law in the Province of Ontario. Of course, the risk is that a man may repeat his vote, that he may vote in two places, but that is a risk which occurs every day in towns. In the town in which I have lived for many years, I suppose one-third of the voters can vote in more than one ward, but no practical difficulty arises from that. A man's name may appear in every voters' list in a county, but there is no substantial wrong, because the oath can always be administered, and the man can be made to swear that he has not voted before. In the district of Muskoka, for instance, I know that the polling districts were so large that, in some cases, men had to travel twenty miles to vote. That is a great inconvenience, and this is simply to enact what is now the law in the Province of Ontario. Accompanying that will be the following provision:—

Section 43 of the Act is hereby repealed, and the following is substituted in lieu thereof:—

Each elector shall, subject to the provisions contained in the next following section of this Act, be entitled to vote only at the polling station, or if there be more than one polling station, at one of the polling stations of the polling district, or one of the polling districts upon the list of voters for which his name is entered as such voter, and at no other place, and the deputy returning officer shall secure the admittance of every elector into the polling station, and shall see that he is not impeded or molested at or about the polling station.

Mr. JONES. I think if the hon. gentleman would say that where electors live at more than a certain distance from the polling station, the returning officer shall be obliged to open a poll for them, that would fix it. But in a case like this it appears to me it would be completely in the hands of the returning officer, who might fix the poll at such places, if he was so disposed, as would be very inconvenient to a large number of electors, and practically disfranchise them. I would suggest to the hon. gentleman to name a distance at which the poll should be fixed for any number of people. I know in a county like mine, in the straggling districts, some people have to go 20 or 30 miles to vote, and it might be a great convenience to have a poll fixed for them. This cannot be done under the present Act, because it requires a certain number of electors to be in a certain neighborhood.

Mr. McCARTHY. I do not think there is any objection to that. But this is an improvement, because at present there can be only one polling station in the polling district. This is to permit the returning officer to have more than one. It is an amendment in the right direction, and is enlarging the powers of the returning officer.

Mr. JONES. That is in one district, but instead of making the one district, I would make an additional district.

Mr. McCARTHY. But he cannot do that. It is not the electoral district, it is the polling district, with 200 names in it. There may be a polling sub-division which is found to be so large that it is inconvenient for the electors to attend at any one place, no matter where it is, in sparsely settled parts of the country.

Mr. JONES. But then my hon. friend will see that if the district was too large for one polling place, it could easily be divided into three districts.

Mr. McCARTHY. That is what it proposes—two or three.

Mr. JONES. I mean that where any number of electors live at a greater distance than whatever might be decided

upon. For instance, in those rural districts, it is not allowed to hire a vehicle and drive the people to the poll. Along our coasts many of our fishermen have not the means of conveyance; they go largely by water, and when they have any considerable distance to go inland, it is difficult to get them to the polls. I think it would meet the case more directly if a certain distance was named which would be more convenient to the people.

Sir JOHN A. MACDONALD. He cannot do that.

Mr. O'BRIEN. Speaking for the Muskoka district and other outlying portions of the country in the northern parts of Ontario, this difficulty must necessarily be found because it is impossible for the revising officer, unless he multiplies the number of his polling divisions, and consequently multiplies the expense of everything connected with the Act—it is impossible for him to change the polling divisions so as to meet the convenience of electors in the way in which it can be met by this clause. This clause does not go one bit further than the clause in the Ontario statute which has been in operation for some years. Section 33, chapter 10, Revised Statutes of Ontario, enacts that:

"A returning officer may, in his discretion, grant such additional polling places in any polling sub-division as the extent of the sub-division and remoteness of any body of its voters from the polling place may render necessary."

There can be no objection to it, except, possibly, that suggested by the hon. member for North Simcoe (Mr. McCarthy), of voters repeating their vote. That danger is so very remote, that practically it amounts to nothing in scattered districts; and, practically, in the unorganised townships in Ontario at the present moment, the same difficulty exists in the Ontario elections, because there is no voters' lists; they have never had voters' lists there before; so it is possible for a man to vote anywhere and everywhere. That risk is not increased, but the convenience to the electors is very great. I hope the committee will allow this Act to pass. It will be a great convenience in the Algoma district, and it is not in any sense a party measure.

Mr. MILLS (Bothwell). I think this is too important a measure to be dealt with in this hurried fashion. We are here within a week of the closing of the Session, and now the hon. gentleman proposes to introduce very important changes. The old Act provided that polling divisions should be fixed by the returning officer. We discussed the question, and the First Minister decided that it was better that the polling divisions should be fixed by the revising officer, and he conferred the power upon the revising officer. Now, the hon. gentleman proposes to give to the returning officer power to review the revising officer's work, and to undo what he has done. The hon. gentleman who has just spoken tells us how sparse the population is in the districts of Muskoka and Algoma. Well, the sparseness of that population is as well known to the revising officer as it is to the returning officer, and it is much better for the revising officer to have the power, in these exceptional cases, to establish districts with a smaller population than the population named in the Act, where the population is sparse, than that this power should be given to the returning officer. The returning officer is not appointed until the writs are out. He is appointed by the writ, he has no opportunity of considering the wants of the districts of which he is returning officer. But the revising officer knows, he is obliged to go over the ground in order to prepare the voters' lists. He has an opportunity of acquiring the knowledge which the returning officer has not; therefore, it is of consequence, if there is to be an amendment of this sort, that it should authorise the revising officer to do this work, and not the returning officer. The returning officer has not time to make that investigation. It is necessary to know

what sub-divisions should be made, and where the polls should be held. The revising officer has time for the consideration of that subject, and if there is to be a change at all, the hon. gentleman should, by his amendment, confer upon the revising officer power to make these alterations in these exceptional cases, instead of upon an officer who has no time to make the necessary enquiry.

Mr. O'BRIEN. The returning officer has to go over the country and fix the polling places himself. That is his duty.

Mr. MILLS (Bothwell). Not at all. If the returning officer does it, there is no opportunity for repeating votes, because a man's name will be in the proper sub-division where the vote is to be polled.

Mr. McCARTHY. Unless he has property in both.

Mr. MILLS (Bothwell). Then the name will appear in both, unless the revising officer knows that it is the name of the same party, and then it is his duty to allow the party to make a choice.

Mr. McCARTHY. No.

Mr. MILLS (Bothwell). I am satisfied that it is not a fair interpretation of the law to give him an opportunity of putting his name down every time that he is assessed for a separate piece of property.

Mr. McCARTHY. This does not at all interfere with the duties of the revising officer. He has a year before he settles the lists. In order to avoid the expense of printing and other expenditures, he makes a division as large as he can in that sense—large as long as it does not exceed 200 names. Now, the returning officer comes on the ground, and he has to fix the polling station, and it becomes his duty to ascertain where that polling station can be most conveniently placed. Now, if he finds that a polling division is so large that, no matter where he places it, it would be exceedingly inconvenient to a large number of electors, which nobody, I think, except the hon. member for Bothwell (Mr. Mills) would object to, although it is the law in the Province where all the laws are so wisely made and ably administered by the hon. gentleman's friends there, and never supposed to work badly or improperly—it permits him to multiply these polling places. The only possible objection can be on the ground of expense, because it is absurd to talk about the chance of a voter repeating. That he can do so in every town or village in Ontario is well known; I do not think I exaggerate when I say that twenty-five per cent. of the names appear more than once on the lists.

Mr. MILLS (Bothwell). And those are sworn in every case.

Mr. McCARTHY. And so they can be here. The question is whether you will compel men to travel twenty miles in a difficult country as they had to do in the recent election, or multiply the number of voting places, in the discretion of the returning officer, to meet the difficulty. I am inclined to meet the view of the hon. member for Halifax (Mr. Jones), who holds that no voter should be compelled to travel more than a certain number of miles to the poll.

Sir JOHN A. MACDONALD. It cannot be done.

Mr. McCARTHY. There is surely no objection to going as far as we can for the purpose of accommodating the voter.

Mr. DAWSON. It would be a great improvement on the present system if the returning officer had power to appoint more than one polling place in each polling district. Along with this amendment there should be a further amendment in such a district as I represent. My district

Mr. MILLS (Bothwell).

is 1,200 miles long, of great width and with numerous islands in it, and the people are, to a certain extent, migratory in winter. They go off into the lumber districts and on different expeditions, and it is very desirable that the voters in that district should have a right to poll their votes in whatever polling district they might be on voting day. In the last election in Algoma one half the votes were not polled, because the people were not at home, and because the polling districts were so large they could not get to the polls. The polling districts in Algoma are as large as an electoral division in the other portions of Ontario. I would, therefore, suggest an amendment that voters should be allowed, as far as regards Algoma, to poll their votes in any part of the district they happen to be in at the time. This might be made exceptional as regards Algoma, for under the General Elections Acts there are special provisions at present for Algoma and Muskoka, so that there would be nothing new in such an arrangement.

Mr. JONES. The hon. gentleman said the suggestion I made could not be carried out. I can point out to him a way in which it can be carried out. It is to make it obligatory on the revising officer when he goes around the country and makes up his list, because of necessity he must travel over the section of country, to arrange that no voter shall have to travel a greater distance than five miles, and he could make up a list to meet the case; whereas under the operation of this Act, in a large district like my own county, the returning officer who may be appointed, probably, and more than probably, never visits the district at all. He receives his writ for the election and takes up the list by the old sections, and he appoints a poll at a certain place. He is not familiar with the locality; he does not know exactly where the bulk of the people live, and he takes the report of other people. But if the revising barrister, who will be familiar with the district, were to arrange his lists in the way I have indicated, it would accommodate a greater number of the electors. But it should not be permissible, it should be obligatory, and then the returning officer would carry out the work which the revising officer had commenced. In my own county the returning officer could not be familiar with the county or district where the people are called on to vote, and could not know under what circumstances the changes of the polling sections might be made. Moreover, there is another objection to this proposal. If, as is often the case, a large proportion of the electors of a certain district live at one end of the district, the returning officer might fix his poll, if he were so disposed—and we have seen in the case of the returning officer for Queen's what returning officers will do—he might fix a polling place at a very inconvenient position, which would practically disfranchise the largest number of people in that section. In my county, when the elections are in winter, it is almost a matter of impossibility to get men to the poll, and, therefore, every assistance should be given them in the way I have pointed out. By the revising barrister having the lists so arranged, he would enable all the electors to poll their votes, and not compel them to travel a distance of over five miles. This would be an improvement on the amendment of the hon. gentleman.

Mr. DAVIES (P.E.I.) Some simple provision might be made which would be an improvement in a district like Algoma. The amendment I do not think is in the right direction. The revising officer is bound to make himself thoroughly acquainted with the list, and the names of the polling places are printed in the district and put at the head of the list, and are known by the electors. When the poll is fixed by the returning officer the chances are that he will fix it in the most convenient place.

Mr. McCARTHY. The intention is to fix the polling districts in two places and give each deputy returning

officer a list, so that the man has a chance. The danger is that a man might vote twice.

Mr. DAVIES (P.E.I.) If the hon. gentleman were not such an old campaigner I would think he was poking fun at the House. If you are going to give in 210 constituencies two polling places in each, there will be at least twenty or thirty persons repeating votes.

Mr. McCARTHY. We have had this matter tried in Local elections for years and without that result: It has been the law for years.

Mr. MILLS (Bothwell). The hon. gentleman knows that with some of those districts there are a great number of Indian voters. Their notions of voting, and the propriety of voting, are not exactly the same as those of the white population, and they would be in a large degree at the disposal of those who chose to press them into voting as often as possible. The result of this would be simply to delay, because it would be quite impossible that a single voter would be allowed to vote without being sworn. Then, you have, as the hon. member for Algoma (Mr. Dawson) said, the case of his constituency, in which a large portion of the voting population are migratory, fishing at one point to-day and camping at another to-morrow. They wander over a territory nearly one thousand miles in extent, and it would be impossible in that case to adopt the hon. gentleman's proposition without serious danger of wrong.

Mr. JONES. I think if the hon. member desires really to amend the law, he will adopt my suggestion and compel the revising barrister to settle the boundaries.

Mr. McCARTHY. We are dealing now with the Dominion Elections Act. The amendment which the hon. gentleman refers to would be an amendment to the Franchise Act, and when it comes up the amendment may be made.

Mr. MILLS (Bothwell). Make it an amendment to that Act.

Mr. McCARTHY. But the revising officer has already fixed the polling districts, and, when an election comes, the difficulty then occurs with the electors, and then the returning officer would step in and correct the difficulty. Of course if the revising officer makes the sub-divisions small enough to be convenient this clause will not apply.

Mr. DAVIES (P.E.I.). He cannot make them more than 200 votes.

Mr. McCARTHY. Yes, but that may cover a very large territory.

Mr. WELDON (St. John). I do not think that such an important change in the law should be made so late in the Session.

Mr. McCARTHY. What difference does it make whether it is late or early?

Mr. WELDON (St. John). It is entirely novel to us, and I think it will act very injuriously. In the first place, I feel that it would be very unsafe to put this power in the hands of returning officers.

Mr. McCARTHY. If the hon. gentleman does not desire it in his Province, I am willing to confine it to the districts of Algoma and Muskoka in my own Province. I am satisfied if the hon. member for St. John (Mr. Weldon) desires his constituents to travel fifty miles to vote.

Mr. MALLORY. I agree with the hon. member for St. John (Mr. Weldon) in thinking that this is too important an amendment to the law for us to discuss and place upon the Statute-book at so late a period of the Session. I cannot see why the hon. gentleman should be in such a wonderful hurry to get this amendment placed on the Statute-book, inasmuch as he, at least, believes that there will be no

general election for some time to come, so that I do not think the country would suffer if we left the amendment to another Session, so that we might consider it in a proper manner. I think, Sir, that the revising barrister, so long as we have a revising barrister, is the proper person to define the limits of the polling sub-divisions. He has, in the first place, in order to make up his preliminary lists the assessment roll and all the information he can gather; he is not limited as to the time at his disposal, and he could go fully into the whole subject. He knows, or he ought to know, all the particulars with regard to the boundaries of the various polling sub-divisions, and if, as they exist at present, they are too large, he should have the power of revising them and making them convenient for the electors. In preparing the lists for the final court of revision he has to visit the various municipalities, and to hold courts of revision within them, and, therefore, he should know their boundaries. But we know that in many cases returning officers are appointed who reside outside the riding for which they are appointed, and they are, therefore, not conversant with the boundaries of the polling divisions. In some ridings in Ontario they do not reside in the electoral districts at all; they know nothing about the ridings or the polling sub-divisions which they are supposed to arrange, if this amendment is adopted. In many instances they do not visit the polling divisions at all, but send their clerks to them, while they remain at their own offices. I think this is too important an amendment to the election law to take up at this late hour, when we are asked to expedite the business of the House as rapidly as possible in order to get away next week. Inasmuch as there cannot be any possible haste in regard to this matter, as it is not likely that any number of elections, except a bye-election here and there, will take place for several years, there is no great reason why an amendment to the law should be hurried through at this period of the Session, when we should have plenty of time to consider it.

Mr. McCARTHY. If it is thought advisable, I would ask that the amendment be limited in the way I suggest. I do not desire to force it upon the Maritime Provinces, but I do know that in Algoma and Muskoka they suffer very great inconvenience as the law stands at present; and I should rather think that North Victoria must suffer in the same way. My hon. friend from Manitoba (Mr. Scarth) says that in that Province it would be a great convenience.

Mr. MILLS (Bothwell). Then the proposition is to apply this provision to two districts in the whole Dominion.

Mr. McCARTHY. To meet your views.

Mr. MILLS (Bothwell). No, I expressed no opinion in favor of such a proposition. My proposition was that the districts should be defined by the revising officers. I hold to that opinion; the same opinion was expressed by the Prime Minister himself, but now he seems to have had new light. I would like to know what new light the hon. gentleman has had, to make him see the propriety of conferring this power on the returning officer, when he told us before that it was very important that it should be taken from him, and that the revising officer was the proper party to possess this power. We concurred with him in that view. If it is necessary to confer this power upon anybody—and I admit that it is reasonable, where the population is very sparse, that the extent of territory and not merely numbers should govern—it should be conferred upon the revising barrister, by an amendment to the Franchise Act providing that the revising barrister, in certain cases, should govern himself by the extent of territory rather than by the number of electors. I suppose that the hon. gentleman is assuming that the hon. member for Algoma (Mr. Dawson), and the hon. member for Muskoka (Mr. O'Brien) are to be unseated, and that there are to be new elections. I think the hon.

gentleman is prejudging the cases of his friends who are sitting beside him. But if there are to be elections there, and if it is necessary to establish more convenient polling divisions, by all means confer on the revising officer the power of revising his work, and of altering and improving the public divisions in the way the hon. gentleman desires. Take the case of Algoma. I venture to say the hon. gentleman who represents that constituency has a good many voters in it, as to whom no white man could tell whether they had voted once, twice or five times.

Mr. DAWSON. Allow me to correct the hon. gentleman. He would have to be an exceedingly active voter if he could go from one to another polling place in one day.

Mr. MILLS (Bothwell). If some of the dusky electors in the hon. gentleman's constituency voted twice, nobody could prosecute them, because nobody could know whether the Indian who voted at poll A was the same Indian who voted at poll B. So I say, if there is to be an amendment, the hon. gentleman had better adhere to the doctrine laid down by the hon. First Minister, and confer this power on the revising officer, and not on the returning officer, who is appointed on the eve of the election and who has no time to do this work properly.

Mr. WATSON. I certainly approve of giving the power to some person to establish more polling booths. In my own county in some cases electors had to travel as far as twenty-five miles to vote, which was a very inconvenient thing in the month of February. I would much rather see that power conferred on the revising officer than the returning officer, because the returning officer has to locate each polling place, and I would not like to see the power placed in his hands of sub-dividing the list, and saying that a certain man should go to one polling place and another man to some other polling place. It would be much better to have the power conferred on the revising officer, so that he could make up the lists to suit the electors. I may say that I have had several communications from electors in different sections of my county, where settlement is sparse, and where the polling booths were inconveniently situated, asking me to endeavor to secure for the revising officer power to locate polling booths in different places in that district, and the revising officer has expressed his willingness, wherever he could place a polling place more conveniently for the electors, he would do it.

Mr. JONES. Some time ago, in reply to my suggestion, the hon. gentleman said that it would come properly under the Franchise Act. If the Government propose to deal with the Franchise Act, will the hon. gentleman say the Government will insert that amendment, making it imperative on the revising officer to divide the district so that the electors shall not have to travel over five miles to reach a poll?

Sir JOHN A. MACDONALD. I am not prepared to say that we will take it into consideration. The hon. gentleman may have his amendment prepared and move it when the Bill comes up.

Mr. JONES. I do not want to occupy the time of the House with that amendment unless it will be passed. I am speaking of this matter with reference to a county like mine, where the people have to travel a long distance to vote. I would suggest to the hon. leader of the Government that if he would incorporate, in any amendment he proposes to make to the Act, the provision that the revising officer visiting a district, should take that into consideration, and locate the polling places that the electors would be within five miles of a polling place, all difficulty would be obviated. I am informed that such a course would be only consistent with the hon. gentleman's action on a previous occasion.

Mr. MILLS (Bothwell).

Sir JOHN A. MACDONALD. I will call the attention of the Minister of Justice to the suggestion of the hon. gentleman, as he is in charge of the Bill.

Mr. MILLS (Bothwell). I would like the hon. Minister to say if he is disposed to accept an amendment we offer. He takes Algoma and Muskoka out of the general policy, and deals with them in this Act exceptionally. Surely, if he intends that this Act shall apply at bye-elections, he should provide for all bye-elections that may occur.

Sir JOHN A. MACDONALD. There seems to be a very considerable opinion in the committee against making the change general. The hon. gentleman proposes to limit the provision to those two counties. We have heard the representatives of those two constituencies, who have no objection to the course proposed. I did not wish to be understood as saying that I would act on the suggestion of the hon. member for Halifax. I merely said I would ask the Minister of Justice to take it into consideration, and I will do so also.

Mr. DAWSON. The hon. member for Halifax said that no voter should have more than five miles to travel to get to a polling station. That argument shows the necessity of making some special provision for Algoma, because if he placed the polling stations in that district so that no voter would have to travel more than five miles, you would require more than a thousand polling stations in that immense district.

Mr. JONES. Then, I suppose my hon. friend from Simcoe will have no objection to include Halifax with Muskoka and Algoma.

Mr. McCARTHY. If it was not for fear of rousing the wrath of the hon. member for St. John, I would be disposed to do so.

Mr. WELDON (St. John). I think that shows the undesirability of the change at all.

Mr. MILLS (Bothwell). This is an instance of that rule of uniformity which the First Minister insisted upon during a period of three months.

Mr. MALLORY. The House is evidently not prepared to deal with this matter as it ought. The hon. member for Marquette states, with reference to this matter, that his constituents have complained to him, and that he has made representations to his revising barrister, who is prepared to do what the hon. member for Marquette asks, if only the law would allow him. This amendment discriminates against the hon. member for Marquette, and in favor of two friends of the Government. If the amendment is a good one, it ought to extend to the whole Dominion, if not, it ought not to be proposed at this late period.

Mr. WATSON. Rather than see the returning officer have this power, I would prefer seeing the Act as it is. In all cases, the returning officer is a partisan, while the revising barrister, as a rule, gives satisfaction. In my county, the revising barrister is Judge Ryan, who gives entire satisfaction. Extended powers ought to be given the revising barrister, such as that of locating the polling districts. In my constituency, the electors in some of the districts had to go 30 miles to poll their votes, and that was in the middle of February. I hope the First Minister will accept the proposal of the hon. member for Halifax when this Bill comes up again.

Mr. JONES. While I prefer this Act should be amended generally, still, to meet the special views of the case, if the hon. gentleman is going to press this amendment, I would move to have the words added "in the electoral districts of Algoma, Muskoka and Halifax."

Sir JOHN A. MACDONALD. After hearing what has been said on both sides, I would suggest to my hon. friend to withdraw the amendment, and when the Bill relating to the Franchise Act is under consideration, to-morrow or Tuesday, the suggestion of my hon. friend can be put into practical shape and considered.

On section 1,

Sir JOHN A. MACDONALD. I would amend this section by substituting for the words "subject to the reversal on petition," the words "subject to recount or reversal on petition."

Mr. WATSON. It is important better instructions should be given to returning officers, to know who shall be entitled to vote at the different polls. In one particular district in my constituency, where five polls were held, some 66 agents voted. To my mind, that is contrary to the election law, and the returning officer held the same view until within 24 hours of the polling being held. I was in a distant part of the county, but, on arriving home, went to his office and found he had made out some 72 certificates for agents, men coming from Winnipeg to vote in the town of Portage la Prairie. These men did not act as agents, and I believe the returning officer was forced into the position he took by the advice of Winnipeg lawyers, that any man could be appointed an agent and go and vote, provided there were not two men holding agents' certificates in the booth at the same time. If it is the intention of the Government to make this legal, that ought to be distinctly stated. As I understand the Act, only two agents can vote at a poll.

Mr. McCARTHY. I desire to propose an amendment to section 128. It reads at present;

No election shall be declared invalid by reason of non-compliance with the provisions of this Act as to the taking of the poll or the counting of the votes or by reason of any want of qualification in the persons signing a nomination paper received by the returning officer under the provisions of this Act or of any mistake in the use of the forms contained in the schedules of this Act, if it appears to the tribunal having cognisance of the question that the election was conducted in accordance with the principles laid down in this Act, and that such non-compliance or mistake did not affect the result of the election.

I desire to put in, at the suggestion of one of the learned judges, who sent me the amendment, the following words:—

Any irregularity in any of the proceedings preliminary to the polling, or by reason of a failure to hold a poll at any place appointed for holding a poll."

The whole clause is subject to the proviso at the end, that it does not affect the result of the election. This is amending the law exactly as it has been amended in the Local Legislature, owing to a case in which I happened to be concerned. In the East Simcoe case, the returning officer did not open the poll until a few minutes after two o'clock, owing to a snow storm, and at the trial the two learned judges differed. One learned judge thought the election must be set aside in consequence, and the other took an opposite view. In consequence of that, these words which I have read were put into the Local Act. The effect is that no irregularity preliminary to the holding of the poll is to interfere with the election, provided the result of the election is not thereby affected.

Mr. JONES. Suppose a man did not put up his deposit?

Mr. McCARTHY. That would come into the question as to its affecting the result of the election.

Mr. WELDON (St. John). This is rather an important amendment, and it might be moved on the third reading and printed in the meantime.

Mr. MILLS (Bothwell). The committee might rise and report progress and sit again.

Amendment negatived, and Bill reported.

SOLICITOR GENERAL.

Mr. THOMPSON moved the second reading of Bill (No. 42) to make provision for the appointment of a Solicitor General.

Mr. MILLS (Bothwell). It seems to me rather late in the evening to take up that Bill. There will certainly be a good deal of discussion on that. The hon. gentleman had better take some other measure about which there will be less controversy.

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

Motion agreed to, and House adjourned at 12:45 a.m. (Saturday).

HOUSE OF COMMONS.

SATURDAY, 11th June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

BILL WITHDRAWN.

Bill (No. 110) respecting the Saskatchewan and Western Railway Company.

ALLOWANCE TO GODEFROI LAVIOLETTE.

Mr. THOMPSON moved the second reading of Bill (No. 138) to provide for the payment of a yearly allowance to Godefroi Laviolette, late warden of the penitentiary of St. Vincent de Paul.

Motion agreed to, and Bill read the second time; House resolved itself into Committee.

(In the Committee.)

Sir RICHARD CARTWRIGHT. I ask the Minister of Justice whether he has considered well the precedent which is being established in this? It is true such matters are not likely often to occur, but our practice has been to give a superannuation allowance and a gratuity for the services that may be rendered, and I think, by that mode, we might have the case better than by granting the entire salary for the term of the gentleman's natural life.

Mr. THOMPSON. I have considered that point, and that was really the only difficulty in dealing as liberally as we propose to deal with Mr. Laviolette. I think a gratuity would not meet the case, for the reason that Mr. Laviolette's health is so seriously impaired, there is no probability of his having any lengthened expectation of life, and the mere payment of a gratuity would have left him entirely without any means of support for himself and family.

Sir RICHARD CARTWRIGHT. The hon. gentleman has misunderstood me. I said that in somewhat analogous cases our practice had been to grant superannuation allowances, plus a number of years' extra service, and a gratuity. This would, perhaps, have met this case. I mention this, not that I particularly object to conduct like the warden's being specially recognised, but simply because the proposed course creates a precedent.

Mr. THOMPSON. I have endeavored in the preamble to state this is a very special case. It is a precedent that ought not to be followed, except in extreme cases.

Mr. McMULLEN. I think it is not at all in the interest of the country that we should adopt this principle. We

now pay about \$200,000 a year for the superannuation of civil servants, and we are asked in this case to pay \$2,600 a year. If we set this example, the probabilities are we will have this thing repeated year after year. It was quite plain, from the remarks of the hon. member for Quebec (Mr. Langelier), that this man was not wholly irresponsible for the troubles that occurred, and I do not think this idea of paying him this enormous sum annually is one that will meet with favor in this country. If a civil servant suffered injury through an honest and earnest defence of his position, and in the discharge of his duty, it would be reasonable to allow him something sufficient to support him annually; but to allow a man who has been in receipt of \$2,600 a year for several years, out of which he should have put apart a considerable sum to meet the case of old age and infirmity, a continuance of that annual amount, is a gross injustice to the poor and struggling ratepayers of the Dominion. By following a course such as this, we have run public expenditure up to an enormous sum; we are collecting about \$35,000,000 a year for all purposes, and it is likely the amount will be more before the year closes. We should not sanction increased expenditure of this kind in connection with superannuation. Our superannuation system has not certainly been worked in the interests of the country for many years. A great many of our retired civil servants are going around, enjoying the balance of their lives comfortably, and living at the expense of the country. The people cannot afford that; we have the right to investigate such matters as this when they come before Parliament, and I desire to enter my humble protest, both against the continuance of the present system, and the inauguration of a new system whereby individuals are selected, and allowances equal to their salaries granted to them. It is unnecessary that a man should be allowed \$2,600 a year for his support. Any man who occupied the position this warden had, should be able to live on half that sum. How many men are there who struggle for a lifetime to gather a competence for the balance of their days, and have not been able to accumulate half that sum; yet we, in the pride of our hearts and of our greatness as a nation, contribute to one man \$2,600 a year, in order to keep him in a comfortable position for the balance of his days. I say it is wrong. We have no right to consent to this thing, and, for my part, I am determined to offer my opposition to it at every stage.

Bill reported, and read the third time and passed.

DEPARTMENT OF TRADE AND COMMERCE.

Sir JOHN A. MACDONALD moved that the House again resolve itself into Committee on Bill (No. 7) respecting the Department of Trade and Commerce. He said: The Bill went through committee before, but we return to it in order to insert the clause fixing the salary of the Minister.

Motion agreed to, and House resolved itself into Committee.

(In the Committee.)

Sir JOHN A. MACDONALD moved that the blank be filled in by \$7,000.

Bill reported, and read the third time and passed.

SUPREME AND EXCHEQUER COURTS ACT.

House again resolved itself into Committee on Bill (No. 111) to amend the Supreme and Exchequer Courts Act.

(In the Committee.)

On section 19,

Mr. THOMPSON. It was understood that I should ascertain whether that clause, as drafted, covered all the cases

Mr. McMULLEN,

of limitation required. I move the following as a substitute:—

The laws relating to prescription and limitation of actions in force in any Province between subject and subject shall, subject to the provisions of any Act of the Parliament of Canada, apply to any proceeding against the Crown in respect to any cause of action arising in such Province.

Bill reported, and read the third time on a division, and passed.

DOMINION LANDS ACT AMENDMENTS.

Mr. WHITE (Cardwell) moved that the House resolve itself into Committee on Bill (No. 113) to amend the Dominion Lands Act.

Mr. DAVIN. Before you leave the Chair, I wish to say a few words on the general scope of this Bill, which I think will facilitate our work in committee. I have studied the Bill very carefully, and have come to the conclusion that it would not satisfy the people of the North-West. It fails from the point of justice and from the point of view of policy; and if I make a few remarks that will lead the House on both sides to look into the Bill, I think that we may, in committee, after all, shape such a measure out of it that it will be effective for all desirable purposes. Now, Sir, I lay down two propositions: I say, first, that the Bill fails from the point of justice; and I call the attention of my hon. friend the Minister of Interior to the argument on this head, the points in which, although we have met several times, I have not put before him, because they have not struck me on either occasion of our interview. The second homestead was established by the Act passed May 25th, 1883. That clause has been said to be permissive. I will not dwell on the question whether it was permissive or not, because I believe—indeed, I think I can say with authority, from having conversed with the hon. gentleman on the subject—I believe the Minister of Interior would not like to have it supposed that the Government would rest anything whatever on the permissive quality of that clause. But it may be said, in passing, that it would be a perfectly monstrous thing to put a clause in this Bill of a permissive character, as it would strike the eye of a lawyer, but which an agent could use in England, Ireland, Scotland and Germany, and which would enable him to say to the intending immigrant: You can have a second homestead; but when that man came out here, he should be told: You can have a second homestead if the Minister of Interior wishes to give it to you. So I will assume that that clause must be considered to have established the right of any immigrant coming in here, after the passing of the Act on May 25th, 1883, to a second homestead, as soon as he had fulfilled the pre-conditions, viz., that he had made an entry for the homestead and got his patent. Now, Sir, what happened? On June 2nd, 1886, you passed an Act which abolished second homesteads. The second homestead clause was in existence three years and a few days, about the period within which it was absolutely necessary, under the provisions of the Act before it was repealed, to fulfil the conditions which would enable a man to get a second homestead. Therefore, persons who came into this country with what might be called a right to a second homestead, could not get it under the legislation of last year, and the only persons who could get second homesteads are the very persons that went into the country never expecting to get them, prior to the Act of 1883, having no right whatever to them. Looking at the fact that they went into the country before the passing of the Act of 1883, of course, they are not in a position to say, as other men can say, who came in here under the inducements of that Act: We came in here, and when we have performed the pre-conditions, when we have had our homesteads completed, we cannot

get a second homestead! It may be said that those who have no title, no moral title, certainly, to a second homestead, can get one, whereas those who had a moral and legal title, prior to the Act of 1886, are deprived of it. I call the attention, especially, of the Minister of Interior to that point, because I think in that respect it clearly fails from the point of view of justice. Every immigrant who came in here in 1884, 1885, and in the spring of 1886, of course expected to be able to get a second homestead. I have letters here from fathers of families, from men of all sorts, who say that they came here expecting to get that second homestead, for the purpose of getting that second homestead. Adopting June 2nd as a hard and fast line, could not fail to create a certain amount of discontent. Men who failed to get their homestead patented felt they had a grievance, and it is to meet that grievance alone that this Bill is proposed. Those persons who came in before the second homestead was established, but who had not got a recommendation for their patent on June 2nd, 1886, could not get the second homestead; but under this Bill they will obtain it. But those are persons who never came into this country with the inducement held out to them that they would get such a homestead. Take the men who have come from England, from Scotland and from Ireland in 1884, 1885, and 1886, believing they would get a second homestead, that being part of the inducement held out to them—they will find themselves left completely out in the cold. The Bill also fails from the point of view of policy. Of course, it is as important, as that it should be just, that this Bill should also be successful and acceptable to the people of the North-West. If it is not acceptable to them and does not satisfy them, there will still be a sense of grievance: and what can fail to make a greater sense of grievance than that the men who came into the country with this allurements before their eyes and this motive playing on their wills, should be deprived of the second homestead, and see men who came into the country before the Act was passed, before the right to a second homestead was established, enjoying a second homestead? Thus, from the point of view of justice, and from the point of view of policy, the Bill, in its present form, will fail. I know it will be said that the second homestead was a bad policy. I grant that it was a bad policy and a mistake; but whose mistake and whose bad policy was it? It was our mistake and our bad policy. It was not the mistake of the Englishman, who, in 1884, on the Downs of Devon, met the emigration agent, and learned from him that in this great liberal land, that in this paradise of the settler, he could get a second homestead if he came here. It was not the mistake of the Scotchman, who, in 1885, met an emigration agent who told him he could get a second homestead if he came here. We are the persons who are responsible for it, and we cannot turn round to these people, when they come here and ask for their second homestead, and say: "Oh, it was a bad policy." The man will reply: "I will keep you to your word." We can, of course, reply that "We are the Parliament, and while all over this country individuals and corporations can be kept to their word, we can, in successive Sessions, repudiate the responsibility undertaken in previous Sessions." So I consider that this Bill—and I have been looking over it since my last conversation with the Minister of the Interior, and I have had the honor of having had many conversations with him—and the more completely I have looked over it the more I am satisfied that it will fail from the point of view of justice and from the point of view of policy. It will not bear powder and shot for a moment when you bring the test of justice to it. I tell the House this: The people of the North-West, if this Bill is passed, will repudiate it. I know their opinions very well—they will utterly repudiate the Bill. So much with respect to the second homestead ques-

tion. I desire now to touch on another point. There are a number of persons in the North-West who have been there for four years, which have been lean years, in which those who have gone there with their little capital and their courage, have had their capital dissipated, and have nothing but their courage left. I am glad to say their courage still remains strong, and there are this year indications of a bountiful harvest. There you have as fine a class of settlers as ever inhabited any part of the world, who have, in the face of the greatest possible discouragement, in spite of failure after failure of crops, bad year after bad year, in an expensive country to live in, never lost heart or hope, but, toiling on, left their families on their farms, and went into the towns to work, and on the railways to labor; and these men come to this House and say—what? Establish a policy for the future? No, nothing of the kind. They say: "We have been sufferers; do something like justice to us. You cannot possibly put us in the same position we occupied when we came to this country, but do something like justice, in view of the sufferings we have endured." All they ask is this: That their families having lived on the farms, on the homesteads, and in the buildings erected on the farms, and, having cultivated the land, that should be accepted for cultivation purposes, and they should be entitled to their patents. My hon. friend from East Assiniboia (Mr. Perley) and myself, have presented, I suppose, some fifty or sixty petitions from every part of the large district of the Assiniboias, praying this House to make the change suggested in the Bill which, with great presumption, I presented to this House in the first week of this Parliament. It was shown to all my friends from the North-West, and some of my friends from Manitoba. One or two of the clauses I inserted at their suggestion; I think there are only four clauses of my own there, and I know this, that the whole Bill met with their approval at the time. How they now feel about it, or what influences may have operated on their minds, I really do not know; but I know this, that I am just as convinced of the need of carrying out the provisions of that Bill as I was when I left my prairie home and when I came from the people amongst whom I live, for whom I plead here, and with whose needs I am acquainted. A short residence in Ottawa has in no way dulled my sense of what they need. I have made these few remarks with the hope of calling the attention of the Minister especially to an argument I had not previously placed before him, and also of calling the attention of the House to the Bill generally, so that when we go into committee we may possibly hope that we may see in this House what, in other days, was seen in Parliaments, what was seen in Parliament in the best days of Parliaments, in the Parliaments with the best and noblest traditions—something like plasticity, something like that capacity for being convinced which the very idea of a Parliament implies, and without which a Parliament is a mockery.

Mr. WHITE (Cardwell). I think it would be well that we should now go into committee, and when we come to the particular clause to which this question of second homesteading has relation, we can discuss it. I may say that, while I have listened with great pleasure to the hon. gentleman's speech, I cannot quite say that I am altogether convinced by it. However, we will discuss it when we go into committee.

Mr. SCARTH. I would ask whether members will have the right to suggest other amendments than those in the present Bill,—

Mr. WHITE (Cardwell). Certainly.

Mr. SCARTH—amendments not referring to the clauses that are in the Bill?

Motion agreed to, and House resolved itself into Committee.

(In the Committee.)

On section 3,

Mr. CHARLTON. The provisions of the law with reference to homesteading entry are not, I believe, sufficiently liberal. The object and desire of this House, and of this country, no doubt, Sir, is to secure the rapid settlement of the North-West; and the future of Canada depends very largely upon our success in inducing settlers to go into that country. Now, I believe we have hitherto pursued a policy, with regard to our vast domain of public lands, which is not of a character sufficiently liberal. We have at the south a country which has also a large public domain, and which is seeking to people that public domain with settlers. That country is eminently successful in its efforts. We have been constantly falling behind that country in the race of progress; we have not succeeded, as they have succeeded, in inducing immigrants to people our unoccupied lands. Now, I believe, Mr. Chairman—and I have before urged my view in this respect in this House—that our policy with regard to our public lands in the North-West ought to be, at least, as liberal as the policy of the United States, and I believe, if we adopt a policy not as liberal as that of the United States, we will continue hereafter, as has been the case heretofore, to fail in our efforts to secure the rapid settlement of that country. This clause with regard to homestead settlements proposes to continue the policy hitherto pursued by the Government, that is, to allot certain locations in townships for homestead settlement, and allow homestead settlement on no other location. Now, the practical effect of that, when compared with the United States law, is to place the homestead settler in Canada at a great disadvantage, as compared with the homestead settler in the United States. I do not complain as to the details of the policy—as to the number of years' residence required, as to the time required, or occupation of the entry, as to the conditions with regard to settlement and cultivation. All these, I believe, are proper enough; but I think there is one change which it would be in the interest of this country to make—a change in the direction of the homestead laws of the United States. In that country, wherever public land is situated, it is open either for homestead or purchase; there is no restriction in the one case or the other. The homestead settler can settle on a quarter section outside the railway belt, or upon 80 acres inside the railway belt, wherever he finds land unoccupied. I believe, if we are to induce homestead settlements in the North-West, on a scale commensurate with our desires, we should change our policy and open our public lands, wherever they may be situated, for homestead settlement; wherever lands are open for sale or settlement we should allow homestead settlement upon those lands, instead of locating homesteaders here and there in isolated positions. I think this is one of the radical defects of our law, and I call the attention of the Minister to it, with a sincere desire that he may promote a policy more conducive to the rapid settlement of the North-West than that which has hitherto prevailed. We know that settlement has proceeded slowly; that our policy has been one calculated to scatter settlement. We built the railway, perhaps, too rapidly, and the result is that we have scattered settlements along the line between Winnipeg and the Rocky Mountains, that might better have been concentrated within a limited area. I would suggest, therefore, that the law should be amended. Perhaps it will be an act of presumption on my part to propose such a change, but what we want is a system which would conduce to the rapid homestead settlement of the country; conduce to the sale of land, and the rapid settlement of the country. I propose to alter the third clause so that it shall read as follows:—

Mr. SCARTH.

Every person who is the sole head of a family, and every male who has attained the age of eighteen years, who makes application in the form A in the schedule to this Act, shall be entitled to obtain homestead entry for any quantity of land not exceeding one quarter section of land which is open for sale or settlement—

without any restriction whatever as to where he shall make his location.

Mr. WHITE (Cardwell). The hon. gentleman has opened up a large question which is not touched in this Bill at all. The question of whether the odd sections should be open for homesteading is one upon which there is reasonable ground for difference of opinion. Recently, in the land grants we have been giving to the railway companies—or to many of them, at any rate—we have adopted the principle of granting alternate townships instead of alternate sections. The motive for that change has been two-fold. In the first place, especially in the southern part, where it was first adopted on what is commonly called the Galt Railway, the land was better fitted for grazing than for ordinary settlement purposes; and the other motive—and I may say the ruling motive with myself—was that, in the alternate townships reserved, every quarter section would be open for homesteading, as the hon. gentleman suggests, and in that way we could secure compact settlement, which is, undoubtedly, a matter of very great importance. But that is not what is referred to in this Bill. Under the law as it stands to-day every person going into that country has a right to enter for a homestead of 160 acres, and for a preemption of 160 acres alongside it. After he has fulfilled his homestead duties by a residence of at least six months in each year, for three years, and reasonable cultivation, he is permitted, within six months after that, to purchase his preemption at the price fixed, whatever that price may be—\$2 or \$2.50, according to location. Now, in many cases it has been found that homesteaders have abandoned their preemptions. Owing to circumstances which have existed in the North-West during the last three or four years, circumstances which are not in any way due to the land laws, but circumstances over which no Government could have any control, a good many of the farmers do not find themselves in a position to purchase their preemptions, and, as a consequence, they are abandoning them. There is a difference of opinion, even among gentlemen in this House from Manitoba and the North-West, as to whether 160 acres is not sufficient for a homestead, and as to whether we have not made a mistake in allowing preemptions at all. But what I propose in this Bill is that we shall open these preemptions immediately to homesteaders, and to that extent I am going in the direction of the hon. gentleman's suggestion. The chief reason for adopting that principle here is, that I think it is most important, in connection with the settlement of that country, that the homesteaders should be actual residents on their lands, and that the practice should be discouraged, as much as possible, of persons getting possession of land, leaving their families on it, and going elsewhere to work, or, perhaps, getting the work done through someone else, and in that way obtaining possession of 160 acres which they never intend to cultivate. The motive in inserting this clause, in regard to these pre-emptions, is that we may abolish the two principles that have been adopted in former Acts relating to homesteads. The first is the principle adopted in 1884, I think, by which a person living within a radius of two miles, can enter for land, being compelled at the end of three years to put up a habitable house and reside on the land three months before he gets his patent. In the meantime he is away. To my mind, this has not proved, on the whole, a good principle for the settlement of the country. The other plan, which is practically abolished by this measure, is that which we adopted last year, by which a person can enter for a homestead,

have five acres broken in the first year, five acres cultivated, and ten more prepared for cultivation the next year, and then, at the end of the second year, become a resident and live on the homestead for three years. The proposal in regard to the abandoned preemptions is that the person shall go at once on the land, become a resident, and thus contribute to the settlement of the country, and to the greater advantage of the settlers already there. This is all that is done here, and it is in the direction the hon. gentleman suggests.

Mr. CHARLTON. As I said before, I do not raise any objection to the details relating to the conditions of settlement on homesteads, which, in the main, meet with my approval. The point which I raise is that there is a fundamental error in our policy with regard to homestead settlement. In place of limiting the locations available for homestead settlement, we should throw open the whole area in the North-West, under Dominion control, for settlers, and let them settle wherever they please, permitting them to take up land, either by homestead entry or by purchase. Our object is to get the land settled, and we should open up to settlement every section we own. In doing this we would liberalise our settlement laws, conforming them to a certain extent to those of the United States, and offer as great inducements to settlers as that country does. We do not offer as great inducements now, and the result is shown in the fact that we do not secure the settlers. The majority of our Canadians who go west settle in Dakota and elsewhere, for the simple reason that they can buy public land cheaper there than they can in the North-West, and they can settle wherever they wish without being hampered in any way. In holding and restricting the land from settlement, as we do, we are not promoting the public interest as we would if we gave it away, provided we could get *bona fide* settlers upon it. I urge upon the Minister of the Interior the importance of liberalising his policy by permitting the homesteader to settle wherever he chooses, and the purchaser to purchase wherever he can find the land, having no restriction in one case or the other. I am sure that if that policy were adopted, the result would be greatly to the interest of Canada.

Mr. WATSON. I rise to endorse the views of the hon. member for North Norfolk (Mr. Charlton). I might differ with him a little in one respect, that is, as to the purchaser being allowed to purchase land wherever it is to be found. I believe it would be well to reserve the even-numbered sections for homesteading, but the odd-numbered sections ought to be opened for homesteading. At present the odd-numbered sections are held for sale. I have always objected to that. We have always held that a settler is of more value to the country than the price obtained for the land; and settlement in that country is retarded by so much land being locked up in the hands of speculators. I presented petitions to-day from three municipalities, regarding a corporation that holds thousands of acres on which it pays no taxes. The land was purchased from the Canadian Pacific Railway Company, and no taxes are paid on it simply because the agreement of sale was not registered. The fact that so much land is held by speculators, without paying taxes, is retarding the settlement of the country. Of course, it will be said that land has to be given away for the construction of railways. Well, I claim that all lands held by the Government, except lands given to aid in the construction of railways, ought to be opened to homesteading. I believe that if that course had been pursued in the past, instead of having a sparsely-settled country we would have a compact settlement within a radius of 200 miles. Another thing that has tended to cause dissatisfaction is that the price of preemptions has been too high. I have no doubt the Minister of the Interior has received a large number of petitions from

the North-West, making strong representations that the price of preemptions should be reduced to \$1 per acre. For reasons which he has explained, farmers, who took up 320 acres of land, half freehold and half preemption, have found that they were not able to pay \$2.50 per acre for their preemptions, and the consequence has been that they had either to lose their preemptions or borrow money to pay for them. They thus involved themselves in debt, and have not been able to recover. The result is that the loan companies to-day are holding large sections of land in that country that have been granted as preemptions as well as homesteads. If preemptions were reduced to \$1 per acre, that reduction would encourage settlement, because a large number of homesteaders went into that country, took up their lands during the boom, expecting to be able to pay \$2 or \$2.50 an acre for preemption; but, unfortunately, the country not having progressed as it should, they find the land is not actually worth the amount they agreed to pay. While we are on the subject, I would refer to two or three minor matters in the interest of the settler. I believe all the timber required by the homesteaders should be allowed to them free of dues, for improving their homesteads, erecting buildings, fencing, &c. I would recommend, also, to the Minister that he should allow settlers throughout all that country to take all the dead and dry timber free of dues, because we have had sad experience of tracts of valuable timber land having been overrun by fires, and the green timber is in a great measure killed by the dead timber with which the ground is covered. I am satisfied that if the dead timber were allowed settlers free of dues, they would take it in preference to green timber and paying dues, and thereby protect the forests. It is of the utmost importance that the forests in Manitoba and the North-West should be protected, not only for the purpose of fuel, but for the effect forests have on the climate. I am pleased to see the Minister makes it statutory that all cancelled homesteads and preemption lands should be allowed as homesteads. The policy of the Government in the past, as a rule, selling those lands or cutting them up in smaller parcels than 160 acres to a homestead, has not tended to promote the settlement of that country. I would like to see the Minister, not only allow a new homesteader to take up a preemption as a homestead, but also to allow the original homesteader to make a second homestead on his preemption, on similar conditions to those set forth in this Bill. It appears to me, by taking that course, no injustice would be done to the Government, and it would only be fair and reasonable to the settler. The settlers of that country have not had the smooth path to travel that some people imagine; they have had a few backsets, as has been said by hon. gentlemen opposite, and it would be a great boon to the early settler of Manitoba to allow him to make a homestead of his preemption on similar conditions to those set forth in this Bill, the preemptions being cancelled. So far as this Bill goes, there is little or no difference between it and giving to the original homesteader the right to homestead his preemption, because, as soon as he is entitled to the patent for his homestead, he can take up his homestead, fail to fulfil the conditions required for his preemption, and he, or some of his friends, can then take up the preemption as a homestead. Instead of compelling him to take that roundabout way, it would be better to allow the original homesteader to make a second homestead of his preemption. Failing this, I would urge that the price of preemptions should be reduced to \$1 per acre.

Mr. DALY. I agree with a great deal the last of the previous two speakers has said in reference to the homesteading of odd sections. As far as Manitoba is concerned, there is not much land left for that purpose, owing to the fact that the odd sections have been granted as railway lands or taken

up by the Canadian Pacific Railway; but, so far as the North-West Territories are concerned, if the Government would take the matter into consideration, no doubt a large number of odd sections in that country would be opened to homestead entry. I am of opinion, with the hon. member for Marquette (Mr. Watson), that the settler in that country is worth more than the \$2.50 an acre which the Government may derive from preemption, and I think every settler should be permitted to have a homestead, provided he performs his homestead duties as laid down in the Act. The only thing I see in the previous clause, and the clause we are now discussing of this Bill, which I look upon as not sufficiently liberal, is the fact that we have at least now about three or four different ways of homesteading. As stated by the hon. the Minister, there are three modes in which a homestead can be granted, each imposing different conditions on the homesteaders. When the preemptions are opened for homesteading, it is provided by sub-clause *a* that certain conditions are to be performed by the person homesteading a preemption. Settlers from the old country are unable to distinguish the difference between making a homestead of a preemption and of a cancelled homestead, or to understand the different entries provided. This is overcome to some extent by sub-clause 2 which provides that when a settler is making application for entry he shall specify which mode he intends to adopt; but, at the same time, great difficulty has been occasioned in the old country by the Department of Agriculture not apparently acting in accordance with the Department of Dominion Lands, and sending immigration literature without having expressed in that literature the latest addition or amendments to the Land Act, so that settlers who come, believing that they can homestead under certain conditions, find the law amended. It is stated in sub-section *a* that:

"Any person obtaining homestead entry for the land included in such forfeited preemption entry shall be required to perfect his entry by erecting a substantial house."

A substantial house would be looked upon as a frame house. A great many settlers who have lived on their lands from three to six years, find a sod house, or ordinary shanty, quite sufficient for all their purposes; and I think if the Minister insists on this condition, the word "substantial" should be struck out and replaced by "habitable." That is all that is necessary for any person who intends to take up a homestead. I should like to see it laid down, that where a preemption has been abandoned, preference should be given to the son or sons, or to one of the sons of the man who abandoned it. I know of instances where fathers have come out with large families, and were induced to come simply because they had a number of sons whom they wished to see settled near them on lands of their own. Owing to the numerous settlements, their sons have often to go distances of from 12 to 15 miles to get lands, and, I think, if the preference were given to one of the family of a man who has abandoned his preemption, for the first right to homestead that preemption, a great deal more would be done towards promoting settlement than is done by this Bill. It is provided by this that a house must be erected, and that a settler must be on the land during six months in the year, so that every condition of settlement would be fulfilled; and it would be much better the son should have the preference of living beside his father, than that a perfect stranger should come in. I agree with the remarks of my hon. friend from Marquette (Mr. Watson) with reference to fallen timber. As he has stated, fires have caused great depredation among our timber, and the settlers are removed at great distances from wood. I think, therefore, that, instead of the present timber law being as it is, an amendment should be made providing that settlers may take all the fallen timber they require, provided they take it for their own use. Of course, if there be not some restrictions to the permission to take timber,

Mr. DALY.

settlers would take it for the purpose of selling it; but, I think, if they were given permission to take it for their own use, without having to send to the Dominion lands or the timber office at Winnipeg, a great deal of good would result. As to the present mode of homesteading, there is one matter I would like the Minister to consider, and that is this: some two years ago provision was made that all cancelled homesteads could be homesteaded again, but that a person applying could only get 80 acres as a homestead and 80 acres as a preemption. I would ask the Minister to consider that a provision should be made permitting any person who homesteaded 80 acres of such cancelled homestead, to have the whole 160 acres as a homestead, and be refunded the \$2.50 an acre preemption he has paid; or, if he has not paid, the preemption of 80 acres should be abandoned entirely as such and be included in locatees homestead. As to the price of preemptions, I think myself that \$2.50 is too much, and that the price should be reduced to \$1 an acre, and I think the Government would promote settlement better by permitting *bond fide* settlers to obtain their preemptions at \$1 an acre instead of \$2.50. I may be permitted to call the attention of the Minister of the Interior to this sub-clause *a*. I think the wording of that will require to be changed. I would like to see the word "substantial" struck out and the word "habitable" put in, and a provision made that it should be within six months from the date of perfecting such homestead entry. The hon. Minister will remember that, by the Act of 1883, a settler is given six months in which to perfect his entry, and I suggest that that clause should be applied to meet the condition of matters set out here.

Mr. PERLEY (Assiniboia). I will claim the attention of the House on this subject. I generally keep my seat when anything which does not affect the North-West is at stake, but I claim the indulgence of the House for a few moments as this is a matter which affects my country. You have heard the very able speeches of my two legal friends from that country, but they are not farmers, as was stated on a former occasion. I am a farmer; I have always been a farmer, and I am farming now; and, knowing that country as I do, having lived in it four years—I am speaking now of the North-West Territories more particularly, and not of Manitoba—I say that 160 acres is not enough for a farmer in that country. Our great misfortune does not lie in the fact that our land has been too dear, or that the land regulations have been too severe, but that our climate has not been so good this last two or three years as we would desire. We have suffered both from frost and from drought, and the country that we expected would be a great grain-growing country, and that everyone expected they could raise wheat in, to such an extent that they would get rich by it, has proved by experience, by bitter experience to most of those who are there, that that will not do in the North-West, and that it is necessary to adopt a system of mixed farming—that a farmer there must have his cows, and his pigs, and his poultry, and that he must not put all his eggs in one basket. In that country the grass does not grow so abundantly—though it is very luxuriant—and it takes a larger area of land to pasture a cow than it does in other parts of the world, at least in the eastern Provinces. The cow will be much better and much fatter if she gets enough pasture, but it takes more pasture for a cow. I say that 160 acres is not enough for a farm in that country. Less than 320 acres is useless. I would not take 160 acres if you gave it to me. I would rather pay for 320 acres, because my life on 160 acres would be misery and starvation, while with 320 acres I could carry on a system of mixed farming and could manage to live. I think the policy of taking away the preemption from a farmer, because he fails to make his pay-

ment at the end of six months, is a bad policy—a policy which will result in ruin to the farmers in the North-West. Of course the case is different in Manitoba. There they have large lakes and more rainfall, and more moisture than we have in the western country, and we require more land because the same quantity of land will not answer the same purpose. I claim that in amending the law, the Government should give us the opportunity to pay for the preemption in an extended time. In the first place, it should be reduced in price. The farmers have suffered and have lost a great deal in the last three years in testing that country. It has been an experiment. There have been two classes, or even three, who have gone to that country. The Government, who went there first, built the railway, and promised us that that land was going to be a land flowing with milk and honey, and that it would give happy homes to millions of people, and they have been disappointed. The farmer who went there with glowing expectations of what he was going to achieve in that country, has also suffered. But who have suffered really? It is not the Government, who are but the guardians of the people's interests, but it is the individual who has gone there and lost his time and his money. There are no more plucky, courageous and intelligent people in the country than the North-West farmers. They are willing to stay there, and to try the matter still further. It astonished me, in going over that country soliciting the votes of these people, to find men with the pluck and courage which they possess; and I think that, if hon. members could visit that country and see the hardships these people have to undergo, they would be willing to give them the land for nothing. I agree with my hon. friend from Marquette (Mr. Watson) that it would be much better for the Government, and much better for the Canadian Pacific Railway Company itself, to give the land for nothing and open up those lands, because the traffic they would get from these men, in bringing in the goods they require and taking out their produce, would more than double the value of the land. I want to come to another point, which is of great importance. We are deficient in rainfall. It is no use going into the history of the country. You all understand that, perhaps, much better than I do, but in the western portion of the Territories we are very deficient in rainfall, and, when you get beyond a certain limit, it is no use going into agriculture, it is only fit for grazing land. As far as Regina it is a good country, but we are deficient in timber, and I propose that the Government should accept from the farmers the payment for their preemptions by tree culture. That would be a benefit, not only to the farmer and to the settlement of that country, but to the whole of Canada, because every man in Canada is interested in the prosperity of the North-West; and while a poor man has not enough to pay for his preemption, he cannot do this sort of thing. That is why hundreds of men are asking for a second homestead, because they cannot pay for their preemption, and they want some land on which to pasture their cattle. They are proposing to take their cattle to the hay sections and to move and change their stock twice a year. I know that people in my district have gone fifty miles in the winter with their cattle, and have returned to their farms in the summer, and are there now. This proves that 160 acres are not enough. I think it is very important that this matter should be seriously dealt with, and I suggest that a very great change be made in the payment of preemptions. The idea of taking a farmer's preemption away from him because he cannot pay for it at the end of six months will be disastrous in that country, and I hope the Government will reconsider that matter. If a farmer who has been four years there, with a preemption to pasture his cattle on, while he has the other quarter-section to cultivate as a farm, cannot find the money to pay for his preemption, what must be the prospect in the future? There is

another matter to which I desire to call your attention, My hon. friend from West Assiniboia (Mr. Davin) dropped one suggestion which I think he need not. I have come here to discharge my duties honestly and fairly. I have not come to court the favors of the Government more than I ought to do. The Government have not undertaken to force me, nor to direct me in any way. I have acted freely and independently this Session, as I will every Session as long as I am here. I have consulted with the Minister of the Interior, I consulted with him yesterday in company with my hon. associates here, and I think when the hon. member states: "I do not know how we feel now," or "what influence has been brought to bear upon us with reference to this vote," he went a little out of his way to cast reflections upon us, and I am not here to take it from him nor from any other man. I say the Government have not undertaken to force us; I am not under obligation to any of them; I am here to do what is right, regardless of him or any other man, and that is the motive which actuates me in this matter.

Sir RICHARD CARTWRIGHT. I would like to enquire of the Minister of the Interior what is the amount chargeable for preemption? Is it still on the old scale—\$1 in belt E, \$2 in D, and \$2.50 in C, or is it a uniform rate of \$2.50?

Mr. WHITE (Cardwell). It is a uniform rate, \$2.50 within the railway belt and south of it, and north of that \$2.

Sir RICHARD CARTWRIGHT. Then I must say that I think there is a great deal of force in what hon. gentlemen from Manitoba and the North-West have been contending for. A fair case has been made out for the reduction of the preemption claim in the case of actual settlers. There is no doubt whatever that, from various causes, the settlers in Manitoba and the North-West have suffered great hardships during the preceding three or four years. In regard to the question as to whether in certain parts of the country the preemption is not too large—as to which I have my doubts, like the Minister of the Interior—having that understanding as to certain parts of the country, I believe that, in view of the fact that the Government, after having made large grants to the various local lines of railway on which \$1 per acre was to be paid, have subsequently made a free gift of it to the railway companies, I think the Government might very well consider the propriety of reducing the preemption grant to a reasonable amount, say \$1 per acre, as I think was suggested by my hon. friend who has spoken on the subject. I do not think we will be the losers from that in the long run. I may say, what I have seen myself in the case of a very large proportion of the settlers, that it is utterly out of their power to pay \$2 or \$2.50 for the additional 160 acres. I know there are difficulties, and, therefore, it might be well for the Minister of the Interior to consider them, and possibly within three or four days he might announce what the policy of the Government was upon the question.

Mr. DALY. Although I suggested to the hon. Minister of the Interior to reduce the preemptions to \$1 per acre, I do not agree altogether with my hon. friend from East Assiniboia (Mr. Perley) as to the 320 acres being necessary. It may be so in his own district, but I find that a great many settlers have willingly abandoned their preemptions, because they did not want to work them; but if the Government reduce the price to \$1 per acre, then a man who wants the other 160 acres will be able to get it at a reasonable price. But the price of \$2.50, as at present, is practically an embargo upon the general run of farmers there obtaining their preemptions. But I am satisfied, with my experience, that a great number of people are satisfied with 160 acres. The extra preemption of 160 has acted in the past as a sort of premium upon improvidence, because a great number of

men have mortgaged their farms for the purpose of paying the preemption, and now they have to pay interest upon the extra \$400; whereas, if they had not had the preemption it would not have been necessary for them to have borrowed the \$400. Therefore, I think, it would be well for the Minister to take this matter seriously into consideration, and to reduce the price of the preemption to \$1, and then any person who wants more than 320 acres can get it at a reasonable figure.

Mr. WHITE (Cardwell). I would say, with regard to the suggestion made by my hon. friend from Selkirk (Mr. Daly), that I quite concur in it, and I will substitute the words "habitable house" for the words "substantial house."

The CHAIRMAN. We are on clause 2 yet.

Mr. WHITE (Cardwell). I thought we adopted that long ago.

The CHAIRMAN. The Chairman has not declared it, although I did permit hon. gentlemen to stray away from the clause without calling them to order.

Mr. WHITE (Cardwell). I would like to call your attention to the fact that in Committee of the Whole, the discussion is much more restricted in reality, except as to the number of times we can speak, than it is in the House. We go into the committee to consider the clauses one by one. Now, we have been discussing a great many questions—they are very interesting, but certainly the discussion has had no relation whatever to the 2d clause, which I supposed we adopted some time ago. The 2d clause simply requires the homesteader to state under which plan he proposes to make the entry, that is all.

The CHAIRMAN. With regard to the remarks of the Minister of the Interior, I may say that I do not think it would expedite the passage of a Bill were I to call a member to order at every moment he may stray from the exact clause which is under discussion. I think we generally give some latitude—at all events, it has been my habit hitherto not strictly to call an hon. member back to the particular clause under discussion, if he has for a moment overstepped it.

Mr. WHITE (Cardwell). Of course my suggestion was not intended in the slightest degree to restrict the discussion, but I was astonished that we were actually discussing the details of a clause, and suggesting amendments in the wording of a clause, which was not before the committee at all.

The CHAIRMAN. I thought of calling attention to it at the time, but there was only one hon. member who digressed from the clause.

Mr. DALY. I certainly thought we were discussing clause 3.

On section 3,

Mr. WHITE (Cardwell). I would suggest that the word "substantial" be changed to the word "habitable," in the 39th line of the 3rd clause. As to the other suggestion made by my hon. friend, that means that the perfecting of the entry is made by the erection of a house. Now, I think that it is not unreasonable to say that the man who erects the house shall live in it. That is what I propose here. With regard to this question of the dry or fallen timber, that was brought to my notice when I was in the North-West, and we adopted the plan of reducing the charge very materially—I think it is now only ten cents per cord, speaking from memory.

An hon. MEMBER. Fifteen cents.

Mr. WHITE (Cardwell)—10 or 15 cents for fallen timber, with a view of inducing settlers to get that fallen timber out for purposes of fuel. When I was in the North-West I discussed the timber question at great length with settlers

Mr. DALY.

all over the country, and they all recognised the principle that if fallen timber can be taken for nothing, there will be a great deal of fallen timber. That will be the practical result. It is very easy to make fallen timber. One man goes in and cuts the timber down, and another man goes in and takes it out as fallen timber. So far as dry timber is concerned, with a view of inducing persons to take that out, we reduced the price on it.

Mr. CHARLTON. To what extent?

Mr. WHITE (Cardwell). I think it is 15 cents a cord. Then as to the question of cancelled homesteads. The 80 acres as homestead, and the 80 acres as preemption, was the rule for awhile. We have adopted the principle now of treating cancelled homesteads exactly like any other homestead, with this exception: that a person entering for a cancelled homestead is required, of course, to pay for the improvements that are made upon it, the price of which goes either to the Government or to the homesteader, after paying any municipal taxes which may be due. He gets the land exactly on the same terms as the original homesteader, except that he pays any additional inspection fee. We have now found our system of homestead inspection there to be a great advantage to the settler. A person entering for a cancelled homestead pays the additional fee of \$10 on entry, as an inspection fee; so that the principle of 80 acres and 80 acres has been abandoned. I may say, further, that these special restrictions with regard to entry upon cancelled homesteads, were the result of strong pressure by the settlers themselves. During the boom period they complained very bitterly; people went round jumping claims, and they urged upon the Government in the strongest way to make it difficult to enter upon a cancelled homestead, so as to lessen, at any rate, the inducements to jump claims. In obedience to that strong demand the Department adopted the plan of charging an extra price for the preemption, the amount being the difference between the ordinary and extra price to be paid in advance at the time of making the entry. In some cases where that land was supposed to be exceptionally good, or where the settler only wanted 160 acres, the settler was made to take 80 acres homestead and 80 acres preemption. As a matter of fact in the United States, within the railway belt, which may be considered as being somewhat analogous to cancelled homesteads with us, because it is held to be a settled district, the settler only gets 80 acres free. We give 160 acres everywhere now. I think that plan is much the better one. As regards the suggestion made with respect to giving the preference to a member of the family, I think that the homesteader has that matter very much in his own hands. He has to abandon the preemption, but his son, brother or friend whom he may desire to have near him makes the entry practically at the same time, so he has really the matter in his own hands. It would never do to insert in an Act of Parliament a preference in favor of certain individuals. With respect to the remarks of the hon. member for East Assiniboia (Mr. Perley) as to tree culture, I would say this: There has been a change of Government in the United States recently, and the new Secretary of the Interior, unconcerned by what had been done by his predecessor, has criticised the policy of the Department with very great freedom. If my hon. friend will read the reports recently issued, and especially those portions that refer to the experience of the United States with regard to tree culture, I think he will agree with me that we would act wisely not to follow it, for no greater source of fraud has existed in connection with settlement in the United States than the system of tree culture. That has been the result, as exposed in the recent report of the Secretary of the Interior of the United States. I may say further, that from those reports one gets a very different impression, not only of the law in the United

States, but of the administration of the law and the practical results of that administration, from what we had before we obtained the advantage of having an entirely new hand at the broom, if I may use the expression, undeterred by the acts of his predecessor in office.

Mr. DAVIN. I understand that the question of 80 and 80 acres is settled.

Mr. WHITE (Cardwell). Yes.

Mr. DAVIN. I also understand that the question of cancelled homesteads is also settled.

Mr. WHITE (Cardwell). Yes; that is settled departmentally.

Mr. DAVIN. I must say that all the evidence which I have had is to the effect that in the country from whence I come no farmer can do with less than 320 acres. Would the Minister of the Interior not find it better to substitute in line nine of sub-clause five of clause three, "twelve" for "six." It would ease the settler very much if he were allowed twelve months instead of six months to make the payment, for the latter is a very short time to give him. He will have considerable difficulty now, even with the prospect of a very abundant harvest this year, for he will have to make up leeway. If the Minister will grant twelve months instead of six, it will be a great advantage.

Mr. WHITE (Cardwell). That would be contrary to our present law. The ordinary homesteader has six months to perfect his entry; we propose to give the settler the same time in this case. I would remind the hon. gentleman that we have adopted the words "habitable house," and, therefore, there should be no difficulty about the matter. A settler can put up a habitable house in one week or two weeks, and after he has made his entry at the land office he should go on the land at once.

Mr. WATSON. I think that as the Minister has made that change with respect to habitable house, it will be necessary to reduce the amount of permanent improvements required on the land before he perfects his entry.

Mr. WHITE (Cardwell). No.

Mr. WATSON. I say, yes; because cultivation of the land is not considered permanent improvements. They have to be in the shape of house or buildings on the land. The amount should be reduced from \$2.50 per acre, that is \$400 per quarter-section. It should be placed at the very outside at \$2, making \$320. I feel the Minister should adopt the principle of allowing a homesteader to homestead his preemption as a second homestead. I propose that a homesteader be allowed to make a second homestead on his pre-emption at similar conditions to a person who homesteads any preemption. The hon. gentleman has stated in answer to the hon. member for Selkirk (Mr. Daly) that any farmer with grown-up sons can take advantage of his family being the first on hand to take a preemption for a homestead. There are, however, very many settlers who would wish to acquire 320 acres in the family who have not sons of age, and they will be deprived of that privilege. I move that the clause be amended so as to provide that a homesteader who is entitled to a patent for his homestead be entitled to enter upon his preemption as a second homestead on similar conditions as provided in this Bill as in the case of a person homesteading a cancelled preemption.

Mr. WHITE (Cardwell). This simply means giving 320 acres instead of 160. If this amendment were adopted by the committee, I would feel it necessary to withdraw the Bill. I will not discuss the question, because it has been discussed many times previously.

Mr. WATSON. I would regret the withdrawal of the Bill. But the hon. Minister practically admits the point

when he says that any man having an original homestead can go to the land office, and when he abandons his preemption any member of the family can take it up. This is unfair; because a large number of settlers cannot avail themselves of the opportunity. This is not giving a homestead of 320 acres, because the homesteader has to fulfil certain duties on his original homestead. When he acquires the patent for the land he can do what he pleases, and the Government have no more control over him. If he sees fit to take up his preemption as a second homestead he has got to reside upon it for three years, and have improvements according to this Bill—permanent improvements to the value of at least \$400. I maintain that the settler in that country, who resides on his preemption and puts on \$400 worth of permanent improvements, is worth more to the country than the \$400 received for the land by the speculator, who holds the land for speculative purposes and does not cultivate it at all.

Mr. DALY. I agree with what has been said by the hon. member for Marquette (Mr. Watson), with regard to the improvements amounting to \$2.50 per acre. Will the Minister seriously consider the question of reducing the value of these improvements? How will he arrive at the permanent improvements? Will he take the cultivated and improved land?

Mr. WHITE (Cardwell). Certainly.

Mr. DALY. I think it would be well to define what these permanent improvements are, but if the Minister will say that the permanent improvements are to include cultivated land, I suppose we will be perfectly satisfied.

Mr. WATSON. Yes.

Mr. WHITE (Cardwell). Of course I mean that.

Mr. DALY. It has not been so held before.

Mr. PERLEY (Assiniboia). It will require a man to have a good deal of money to go into the country, maintain his family and make improvements to the value of \$400 in the time allowed for them. That country is supposed to be the home of poor men, but a man cannot go into that country, to-day, under the present law, with less than a thousand dollars, and remain three years and cultivate the land as he should cultivate it. Many people have not got that much money, and the result is, as has been said before, that they are mortgaging their land; the loan companies are going in and mortgaging the land to help the people out. I think this would be too heavy a tax upon the settler. If a man is living there, if he has built a house and is working away, you are exacting too much when you ask him to plough forty acres and build a house and barn. I quite agree that a less sum should be required.

Mr. DALY. I regret that the Minister says he is going to withdraw the Bill if we force this amendment, because there are certain other conditions in the Bill which I must say I would like to see become law. If the Minister is going to withdraw the Bill, it places us in an awkward position.

Amendment (Mr. Watson) negatived.

Mr. WHITE (Cardwell). Though my idea was that the settler should have a better house than hon. gentlemen think he should have, I am willing to make the amount for improvements \$1.50 per acre, instead of \$2.50.

Mr. WATSON. I am glad the Minister has adopted the change, because without it there would have been a great deal of trouble. It would be very questionable how much improvement it would mean. This will mean for fences and buildings, I suppose?

Mr. DALY. And cultivation?

Sir RICHARD CARTWRIGHT. Did I understand the Minister of the Interior to say that he would take into consideration the question of a reduction of the price of pre-emption?

Mr. WHITE (Cardwell). I have been considering that subject for the last eighteen months, but the longer I consider it the more I am convinced that we should not reduce the price.

Mr. CHARLTON. I think that, although, perhaps, the Minister would not be warranted in reducing the price to \$1, he might reduce it to \$1.25, which is the price for similar land in the United States.

Mr. WATSON. I hope that if the Minister does not see his way of his own accord, a majority of the House would be in favor of reducing the price of pre-emptions. We now know from the census taken in Manitoba and the North-West that we have not got the population we should have. There are causes for it, and one of them, I believe, is that pre-emptions are too high. The people can get land, as the hon. member for North Norfolk (Mr. Charlton) says, south of the boundary, upon more reasonable terms than they can in Manitoba and the North-West. I say that, with all this evidence before us, the Government should make some change in the policy of the past, not only encouraging the settlers to come into that country, but to encourage the settlers who are there. It is unnecessary to repeat what I have stated before, that the settlers in different sections of the country have been disappointed, not only by the unfortunate occurrence of one or two early frosts, but in not having railways. A large number of settlers who went in and took up land, expecting to be able to pay \$2.50 per acre for pre-emptions, have been waiting for six or seven years for railway communication which they have not got to-day. I saw a few days ago a resolution passed by the Local Legislature of Manitoba, setting forth the fact that a large number of settlers in the Souris district went in there seven years ago, and have been living there ever since; that they had made little or nothing because they had not railway communication. At that time, as every hon. gentleman knows, it was expected that the Manitoba South-Western would be built there. I might also refer to certain portions of my own county, such as Birtle and Shell River, where the settlers went six or seven or eight years ago. They have lived there ever since, and until a year or two ago received no railway communication. They expected to have railway communication within one or two years after locating; they expected to have the Canadian Pacific Railway.

Mr. BOWELL. How far are the Shell River people from a railway now?

Mr. WATSON. They have it very close, but they spent their substance years ago in living in that country, and they made nothing out of their time and labor.

Mr. BOWELL. I have people in my own constituency who have been there for twenty years, and who are forty miles from a railway now.

Mr. WATSON. That is good enough for your kind of people but not for us.

Mr. BOWELL. I should be sorry to compare them with you.

Mr. WATSON. They were deprived of the accommodation which was promised to them by this Government—promised them by the means adopted by all governments of showing which particular route would be adopted by the railway. I say it would be nothing but fair that these early pioneers should be considered, and should have their pre-emptions at \$1 an acre.

Mr. DALY.

Mr. WHITE (Cardwell). No principle is involved in the fourth clause. The principle is in the Act as it stands, and the object is simply to require persons who enter for their lands on either of the plans other than the ordinary homestead, to make a declaration in accordance with that particular plan when they get entry.

Mr. CHARLTON. Now, fix the price of homesteads at \$1.25 per acre?

Mr. WHITE (Cardwell). In the United States they are not \$2.25 per acre within 20 miles of a railway; and these are all in the railway belt.

Mr. CHARLTON. This fixes the price of land south of the railway at \$2.50, and north of the railway at \$2. It is true that lands outside of the railway belts in the United States are \$1.25; but the policy of granting lands to railways has ceased in that country, and the great bulk of the public lands of the United States are sold at \$1.25 an acre; and I say the Government, in asking for the land double the price that is asked in the United States, are retarding settlement. If they adopted the policy of reducing the price one-half, what they would gain in settlement would more than compensate for what they would lose in the lower price they would get. The great difficulty with our land policy is that it is less liberal than that of the United States, and the consequence is that they get the settlers and we do not. If the hon. Minister of the Interior will take into consideration the proposal to reduce the price of pre-emptions to \$1.25 per acre, he will facilitate the settlement of the country.

Mr. WHITE (Cardwell). I need not discuss the question of reducing the price of pre-emptions just now; but my own view is that it is utterly incorrect to say that our land policy is less liberal than that of the United States. If we should put the American law on our Statute-book, the first people to cry out against it would be the representatives from the North-West.

Mr. MILLS (Bothwell). One important matter that we should consider is the progress of settlement in the North-West Territories. The hon. gentleman knows that it has been very much less than has been anticipated. The recent census shows that we have very many fewer settlers in Manitoba and the North-West Territories than the Government, during the past four or five years, led the House and the country to believe. It matters not how fertile the soil, how healthful the climate, how favorable the country may be for settlement, the fact is that the settlers have not gone there for some reason or other. Of course any rule adopted with regard to the price of the land need not be like the law of the Medes and Persians, unalterable; but, looking at the present condition of things, and at the failure of everything the Government have hitherto done to open up the country, it does seem to me that it is necessary that the further steps suggested by the hon. member for North Norfolk should be taken to reduce the price of the lands. There is no doubt that if such a reduction were made, and facilities were furnished for the continuous settlement of any considerable extent of territory, the Government would be very much more successful than they have hitherto been. According to the statement in the report of the Minister of Agriculture, more than 100,000 who went into that country for the purpose of settlement have not remained there, but have crossed the border since 1881. That means that more than 50 per cent. of those who have gone there have failed to remain. They are not satisfied. They have become settlers on the south side of the line, and they are attracting immigration from the older Provinces of the Dominion. The policy of the Government with regard to the North-West has been a failure. If the Canadian Pacific Railway have cooperated with them, they have been equally unsuccessful. My impression is that the policy

of the company in regard to their lands has been extremely illiberal, and that instead of promoting the settlement of the country it has retarded it. Now, we require a new departure not only on the part of the Government, but on the part of the Canadian Pacific Railway Company, and that is an important fact for the hon. gentleman to bear in mind. He should bear it in mind that the rates and charges upon freights in the North-West Territories are such as to make the settler, even upon his own land, simply a tenant of the Canadian Pacific Railway Company. That being the case, the Government, between the rates that have been fixed, and the area of land that has been handed over to the company, have practically made the whole country the possession of that company. It is, therefore, of immense consequence to the Government, and it seems to me of immense consequence to the company, that a more liberal policy should be adopted; and it devolves upon the Government to take the initiative in that policy by reducing the price of the lands. We are not free to say that the lands are worth such a sum, and, therefore, it is reasonable that we should charge that sum. We say, as a matter of fact, that we are not securing settlers; immigrants are not going to the country; and in order to invite them it is necessary that a reduction should take place in the price of the lands. The ordinary amount collected in Customs duties per family is very much greater than the interest on the value of land that would be sold under the preemption regulations which the Government have established. If you take the ordinary contributions in the public revenue of Canada, you will see that the Government would be receiving a very much larger sum, in the form of revenue, if they had a settler on each of these locations, than they would receive if they succeeded in selling the lot at the price now fixed. As a matter of revenue it is, therefore, not in the public interest that a very high price should be fixed on these lands, but what is important is that we should secure settlers; and the policy that has hitherto been pursued, with the view of conciliating the Canadian Pacific Railway Company, has turned away the tide of immigration from that country. The public, both on this side of the Atlantic and on the other, have, in some measure, lost confidence in the country—not in its fertility or in its fitness for settlement, but in its management. Why, Sir, I think it was not more than three years ago that Mr. Dyke, who was acting as the Government agent at Liverpool, informed the Minister of Railways that the number of those who were returning to England by the Allan line of steamers, dissatisfied and discontented, was greater than the number he could succeed in sending out to the North-West. Now, you would not have a greater misfortune happen the country than to have a very considerable number of people leave the country and go back to Europe, and say it has been managed in such a way that it is utterly impossible to live there; that, between the regulations made by the Government and the extortionate charges made by the Canadian Pacific Railway, they might as well starve in the poor-house in England as be stripped of all the fruits of their industry by their settlement in the North-West Territories. I say that that those were the representations made. Hon. gentlemen on that side have, again and again, said that we, on this side, extolled Dakota, Kansas and Texas, and sought to turn immigration from the North-West Territories to that country. Now, that is not the case. What has been done by the policy of the Government is to produce dissatisfaction and discontent amongst the settlers. I am satisfied that if the Canadian Pacific Railway and the Government were to cooperate and adopt a large and liberal policy towards the settlers, the revenues would be more prosperous, and the Canadian Pacific Railway would be very much more largely benefited than by the policy hitherto pursued. It seems to me that

the proposition of the hon. member for North Norfolk (Mr. Charlton) is a reasonable one, and when the Government find that settlers are going in the direction of the North-West Territory, and taking up land there, it is easy for the Government to increase the prices of those lands if they think it expedient to do so. But the most important thing, the thing it is expedient for this country beyond all others to do, is to secure settlers, and in order to do that, the land policy must be such as to commend itself to those who go into the country. Let the Government suit their policy to the settlers, let the settlers be contented, and you will have the best advertisement in favor of settlement and immigration that possibly can be had.

Mr. PERLEY (Assiniboia). I do not agree with the last speaker. I am satisfied no blame is to be attached to the policy of the Government with reference to land regulations in any respect. If every farmer had as good a crop as he had anticipated, the land policy of the Government would be all right and satisfactory. It is not on account of that policy being wrong, but because of misfortunes, through bad seasons, that I claim the Government should consider the settlers on this occasion.

Mr. CLAYES. It seems to me to be a great mistake on the part of the Government not to listen with an open ear to these gentlemen from the North-West. We should be guided by the experience of the people south of us, in the country lying west of the 100th meridian. It is a region of country so dry that successful agriculture is absolutely impossible, except where they can irrigate the soil. It is a country where the people are very successful in their pastures, but they must have about 10 acres to each animal. In our central and eastern Provinces we are successful, where the land is good, with only one or two acres for each animal. Out there, the cows are starved to death, unless you give an average of 10 acres to a cow. That is the experience of the United States in that country, all the way from the Gulf of Mexico through Texas, the Indian Territory, Kansas, Nebraska and Dakota. In initiating a policy looking to the settlement of the North-West, it strikes me if we make a mistake, we had better make it on the right side. We had better err on the side of generosity than on the side of being small and denying to the people what they deem, as the result of their experience, is essential to the country's prosperity and settlement. The last speaker referred to the fact that the settlement thus far has been unsuccessful. That is the result of some cause, and no one has attempted to point out the cause. It lies, no doubt, somewhere in the fact that the obstacles, taking them as a whole, have been sufficient to induce people to leave the country, who had settled there and been disappointed. The only way, if we cannot find just where the fault lies, is to act in every department, and in every particular, on the principle that the country is absolutely valueless unless we can cover it with thrifty, intelligent, industrious people. Hence, I sincerely hope the Government will take the ground that it is better, if they err at all, to err on the side of extreme generosity, and act in harmony with the wishes of the people in the North-West.

Mr. DALY. I did not think this discussion would take the wide range it has, but since the hon. member for Bothwell has got up, not with the idea of furthering our interest or the suggestion made by hon. gentlemen opposite to give us our preemption at \$1 an acre, but for the purpose of having a slap at the Government, I am not going to sit here and quietly hear that gentleman say the land laws of the United States are more liberal than ours. A young man may come to our country and get a homestead entry at 19 years of age, without being asked to forswear his allegiance to his native country and take the oath of allegiance to the Queen. In the United States, he has to be 21 years of age before he can get a homestead entry, and he must then take the oath of allegiance to the President of the

United States. He has, further, to put in five years upon the homestead before getting his patent, whereas all we ask of him is to reside on the land six months a year for three years, at the end of which time he goes to a land office and gets out his patent, on the evidence of a couple of his neighbors who swear that he has performed his duties. In the United States, on the contrary, the settler has to publish during five weeks in a newspaper his application for his patent, he has to employ an attorney at a cost at from \$35 to \$40 for the purpose of getting the patent. I do not want to take up the time of the House, but when an hon. gentleman gets up and says that the land laws of the Dominion are not as liberal as those of the United States, I tell him he states what is not the fact. When the hon. gentleman condemns the land laws of this country, he is condemning his own legislation, because they are based on the legislation of the hon. gentleman when he was Minister of the Interior. It was he who introduced the land law upon which the present law is based, and in which changes have been made for its improvement. As the country advanced, year by year, changes, of course, required to be made in the administration of the land law, and although we have not been as successful as we hoped in settling the country, no blame is to be attached to the Government in reference to their land administration. Their land law is more than liberal, and the fact that the Minister of the Interior is now giving us what we have been asking for, that is to give settlers the right to homestead abandoned preemptions, is an advance in the liberal policy that the hon. gentleman has extended to us ever since he has occupied his present position. However much we regret our country had not advanced as it should, it does not lie in the mouth of the hon. member for Bothwell (Mr. Mills) to attack the land policy of the Government. He speaks of our having lost 100,000 immigrants. I say we have not lost that number, but there is a difference between the immigration return and the census return. When he says young men and others go to the old country and condemn our country, he must know there are men who would never be satisfied in Manitoba, the United States, or anywhere else. There are grumblers everywhere. There are young men coming out here every year. They are very often good fellows, highly educated, but they come out here with the idea that they are going to make a fortune out of farming. They take up their homestead and preemption, and perform their duties, generally in a very perfunctory manner, but still they perform them sufficiently to get their patent; and as soon as they get their patent, they put a mortgage on their homestead and preemption, put the money in their pocket and have a good time, or go back to England, or become members of the Mounted Police. These are the men who go home and condemn our land laws, but the men who come up to Manitoba to make a home for themselves, the farmer and the farm laborer who came out in that way, are succeeding and remaining in the country, and you can find men there who arrived with only four or five dollars in their pocket, and have made a home for themselves and have remained there. I will not allow the remarks of the hon. member for Bothwell (Mr. Mills) to go uncontradicted, when he says that the Government are to blame on account of their land policy.

Mr. MILLS (Bothwell). I made no reference to the land laws of the United States. I made no comparison between the land laws of Canada and the land laws of the United States. The hon. gentleman has made a speech based wholly on his imagination, and not on any observations which I made to the House. I pointed out that the expectations of the Government have not been realised. I pointed out that the expectations they led the country to form have not been realised. I pointed out that the Minister of Agriculture.

Mr. DALY.

culture represented the immigration to the North-West Territories and Manitoba as being more than 100,000 beyond what it really was; and I pointed out that if we are to believe that these statistics are at all reliable, more than 100,000 of those he represented as going to the North-West Territories must have crossed the border. When the hon. gentleman says that these people are satisfied, that everything in the North-West is blissful, that everything is excellent, that the laws are more liberal than in any other portion of the world, we may ask what are the people complaining of? Why were these meetings called there? Why do these deputations come down from Manitoba? And how is it that the hon. gentleman, slave as he has been in supporting the Administration, has been himself obliged to vote against the policy of the Government? The hon. gentleman admitted himself that he had given a pledge to his constituents that if he came here he would oppose the policy of the Government on a question which was vital, on a question which in their estimation the whole prosperity and the whole progress of the North-West Territories depend. I addressed myself to the committee as moderately as I could. It did not seem to me that I was engaged in attacking the policy of the Government. I was simply pointing out the fact that there was a very small number of inhabitants in the North-West, country when we were all anxious to have a large population there, and to turn the currents of immigration which flow across the Atlantic into that country, to secure settlement there, and to secure a population which would in some degree share the very large burdens we had ourselves incurred on behalf of that country. I pointed out that the expectations formed by the Government and those which they led the House to form, had not been realised, and that it was necessary that some modification or change should take place in order to secure settlers for that country. It seemed to me that the first step to be taken was the reduction of the price of lands, and that, whether it was a fair valuation or not at the present time, the vast majority of people who are seeking homes in this country are somehow or other under the impression that that country is not so desirable as other portions of this continent which are open for occupation and settlement. That is a condition of things which the Government are bound to face, that is a condition of things which it is perfect folly on our part to ignore, and no speech made by the hon. gentleman or by anyone else, whether on that side of the House or on this, can alter the facts. The hon. gentleman may say the policy of the Government is wise, that it is statesmanlike, that it is far more liberal than the policy adopted to the south, but this fact remains: that the people south of the boundary have succeeded in securing the occupation and settlement of their country and that we have not; and, if they have made a more illiberal policy than we have, let us adopt that illiberal policy. Whether it is liberal or illiberal, wise or unwise, let us adopt a policy which will secure immigration into that country. Our present policy has not had that effect.

Mr. MULOCK. I think it is unfortunate that a mere question of administration such as this should be prejudiced by the introduction in the slightest respect of party considerations. We have a vast estate in the North-West, and it is to the common interest of the country that a wise course should be adopted for the settlement of this estate, without settlement it is no more valuable to the Dominion than a treasure hundreds of feet below the surface of the soil and beyond the reach of man. I admire the energy of my hon. friend and old companion, the member for Selkirk (Mr. Daly), in his desire to look after the interests of the North-West, and I can excuse him if, in his discussion of the interests of the North-West, he should to some extent introduce what struck me as a somewhat unfortunate reference

to party politics. I am satisfied that with more experience he will have more control over his arguments, and I exonerate him from any desire to prejudice the cause he is so desirous to promote. I do not desire to uncharitably criticise him when I say that he wandered somewhat from the subject by suggesting that there was some party advantage or disadvantage growing out of it. I have observed, in my brief experience as a member of Parliament, that there is a constant desire on the part of some hon. gentlemen to excuse themselves by pleading that their opponents did equally badly on former occasions. That does not commend itself to my mind as sound argument. We have just gone through a general election, and I think that if a statute of limitations is to be attached to anything, it might well be attached to political shortcomings. It is my desire in my political life, short or long as it may be, to commence with a general election and to hold a government responsible for its actions until the next time of trial arrives. So, while I have had occasion in past times to disagree with the land policy of the Government in the North-West, I want now to help them to form a good policy for the future; I want to aid them as far as I can in settling the North-West with a thrifty people. The North-West will be of no value to the Dominion, it will produce no return for the capital invested in it, in fact it will be a vast source of weakness to the Dominion, unless by a combined policy, the wisdom of Parliament can succeed in populating it with a population that will be a source of strength to us. I hope, therefore, that, in regard to the settlement of the North-West, which is the great hope of the Dominion, all parties will endeavor to bring to bear an unbounded judgment, with the common object in view to arrive at the best and the wisest business policy to settle the North-West in the common interest of us all. I do not profess to be wise enough to make a suggestion in that regard, but it has occurred to me—perhaps I am entirely wrong in it—that the restrictions might rather be directed against alienation than against occupation, or preemption, or pre-occupation. Of course, the Government has to endeavor to guard against the speculative settler, the man who, taking advantage of the regulations, obtains possession, or the right of possession, of land, but does not intend to become a *bonâ fide* settler. Now, it occurs to me that such a character as that can be detected in his object by provisions not giving him the control of land except for the purpose of encumbering it for improvements, and to give the settler who is in possession, or any person who had the right to land, the full right to charge it by mortgage or otherwise, provided that the money so raised upon it went to the improvement of the land. In that case, whilst he has, to a certain extent, the power of alienation, the land gets the benefit of the alienation of the mortgage, and not the individual. Therefore, I think, that whilst the utmost liberality might be extended towards the persons who take up either small or large quantities of land, the proper place to impose restrictions is against speculative alienation.

Mr. CHARLTON. The member for Selkirk (Mr. Daly) and the hon. the Minister of the Interior have distinctly taken the ground that our land policy is of the most liberal character possible, that it is a more liberal policy than that of our great competitor, the United States, in securing immigration. Now, I wish briefly to mention some of the points in which our policy is more illiberal than the policy of the United States; and my object is to endeavor to induce the Government to adopt a policy that will conduce to our own interests by promoting the settlement of our land. The first point in which our policy is more illiberal than that of our neighbors is because we restrict homestead settlements to certain locations, whilst the United States throw open their whole public domain to homestead settlement. The homestead settler can settle upon Government

land wherever he pleases. The settlers can go in communities, they can take up whole townships, they can take up any amount of land they may be able to find; and for that reason the policy of the United States is considered by settlers to be vastly more attractive and liberal than our own.

Mr. WHITE (Cardwell). They can only take up 160 acres.

Mr. CHARLTON. But they can take just as many 160 acres as they can find contiguous to each other, even if they extend over the whole county. Their policy is more liberal than ours, in the second place, because while we charge \$2.50 per acre for all the public lands south of the Canadian Pacific Railway, without any reference to their location, without any reference to the question as to whether they may be within the railway belt or not, the United States Government charges \$2.50 only for the lands within their railway grants; all lands outside the railway grant, wherever situated, are sold at \$1.25 an acre. While we charge for our public lands north of the Pacific Railway, as far north as you may choose to go, \$2 per acre, the United States charge \$1.25. In one case we charge the settler double the price charged in the United States, and in the other case we charge him 75 cents per acre more. Now, these are the two important points. The Minister of the Interior may point out that in the details of the homestead law, with regard to the number of years the homestead settler shall have in which to perfect title, with regard to the settlement duties, and with regard to various other points, he may claim that in these points our policy is more liberal than that of the United States. But that is a matter that does not have any bearing upon the great question at issue. The point that strikes a settler who is intending to move into a new country, whether in United States or in our North-West, is, first of all, the character of the homestead regulations, and as to where he may get homestead lands. The second point that strikes him is as to the price of the public lands that he may choose to buy. If he finds that he can buy public lands in Dakota or Minnesota, or Montana, or any other part of the United States, at \$1.25 an acre, while he would be charged \$2.50 in the Canadian North West, evidently he will choose to purchase in the United States, especially when he takes into consideration the additional fact that advantages in that country are greater with regard to markets and prices in general, than they are in the North West; and I say in that case, nine settlers out of ten will choose to pay the \$1.25 in place of coming to Canada and paying \$2.50 per acre. In this great essential point the policy of the United States is more liberal than ours, and it is for that reason chiefly, as I firmly believe, that we have failed in our endeavors to people the North-West. I think that these considerations ought to have great weight with the Government. If they sincerely desire to settle the North-West they must make our public land policy as liberal as that of the United States, or they must wait until the public lands of the United States are all settled and the population begins to overflow upon ours. I may add—and it is a matter for great regret to find that it is the case, that members from the North-West who come here charged with the duty of looking after the interests of their constituents, drift immediately into a partisan position; and as soon as a position is taken against the policy of the Government with regard to the North-West in any particular, these men will at once commence to denounce the Opposition and assert that the land policy of our Government is all that can be desired, that nothing could be suggested in the shape of reform or amendment to our laws. Now, I quite concur with the sentiment expressed by my hon. friend from North York (Mr. Mulock), that we ought not to approach this subject in a partisan sense, that it is a busi-

ness matter, and every man in this country is interested in having the North-West settled. Every man is interested in having Canada become great and prosperous, and the question is, by what means, by what laws, shall we arrive at that desired result? I say it is not by the terms that we have hitherto adopted towards intending settlers in that country, when our only competitor for the same settlers offers more liberal terms. For that reason it is the duty of the Government to look at this question in a broad spirit of fairness and liberality, so that the Canadian North-West may offer as great, if not greater, inducements than the United States offer to the same settlers.

Mr. ROSS. The hon. member for North Norfolk (Mr. Charlton), in comparing our land laws with those of the United States, has omitted to mention a point in which our laws are more favorable than those of the United States, while endeavoring to create the impression they were less favorable, and that is that the public domain in the United States is outside the railway belt, and not all over, as he would lead us to infer. He does not mention that fact. Inside the railway belt the settler cannot take up every section.

Mr. CHARLTON. I mentioned that.

Mr. ROSS. Within the railway belts he can only take up every alternate section. Now, in the State of Dakota to which he refers, the Northern Pacific has a belt 100 miles wide, 50 miles on each side of the railway, and that belt runs across the State of Dakota. And then there is the reserve along the St. Paul, Minneapolis and Manitoba Railway. But in Manitoba a settler can take up land wherever he pleases, that is any even-numbered section. In Dakota, he can only take up alternate sections within the railway belt, but once outside those railway belts he can take any section he sees fit. That is one point of difference. But then there are various other points of difference that ought to be mentioned. The most important particular for a settler coming into the country, either in the United States or Canada, is this: Can he get free lands?—the question is not as to the price—but can he get free lands, and can he get those free lands near a railway? Now, in the North-West, he can get free lands right up to the railway by homesteading; whereas, in the United States, he can only get every alternate section, and hence no advantage over our policy; but when he goes outside the railway belt in the United States, then he can take up every section. Then there are various other points in which the land laws in our Territories are much more liberal than they are in the United States, taking them as a whole, as I have pointed out on several occasions. The hon. member for North Norfolk would do well to look at these matters and compare our laws with those of the United States, and read them, and if he does, he cannot but come to the conclusion that our laws are much more liberal in all respects, except the two which he referred to, and one of these is modified, as I have explained, and even these have very little to do with the final result, as I have pointed out. But, Sir, it is not the character of our land laws that has kept back settlers from coming to the North-West. We have had four bad harvests, and we have not had fifty millions of people to fall back upon for immigration; we have not had an immigration machinery that has been in operation for fifty or one hundred years. We may say that we have only just started our immigration agency, and although it has not been upon a large and expensive scale, hon. gentlemen opposite say we should cut it down altogether, and that we should let the people come in whenever they see fit, that we should make no effort whatever to induce people to come into our country. In my opinion, the great fault of the Government, the great defect in their policy, is the very small amount of money expended in bringing immigrants to this country, and in their whole immigration

Mr. CHARLTON.

policy. I say that the policy is bad of continually misrepresenting our land laws, and I would bear out the statement of the hon. member for Selkirk (Mr. Daly) in that respect; I think he is perfectly right in feeling annoyed at the statements being continually made on the opposite side of the House, that our land laws are less liberal than those of the United States.

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

After Recess.

Mr. CHARLTON. When you left the Chair I had risen to make an explanation, and to assume the task of defending the North-West from the aspersions and attacks of its own members. I have no desire to prolong this debate, and I will be very brief in the remarks I intend to address to the committee; and I don't think I need to offer an excuse as there has been no subject under consideration this Session of more importance than this is. No subject could engage the attention of this House possessing greater importance than that as how best to promote the settlement and prosperity of our great Canadian North-West. The task of defending that country I never supposed would fall upon my shoulders, but when I listened this afternoon to the aspersions cast upon it by the members sent by the constituencies of that country to this House, when I heard it stated by the hon. member for Lisgar (Mr. Ross) that there had been four successive failures of harvest in that country; when I heard the hon. member for East Assiniboia (Mr. Perley) tell us that the difficulty with that country was not the character of the Government's land policy, but the country failed to settle in consequence of the character of the country itself, and in consequence of frost and drought; when we are told that it took 10 acres to pasture a cow; when the hon. member for Selkirk (Mr. Daly) also told us that the settlers of that country labored under great disadvantages in consequence of its climate, &c., I feel called upon to say that I consider the course pursued by those hon. members in seeking to justify the Government, in seeking to defend the land policy of the Government, by attributing the failure to settle the North-West, not to their obviously defective policy, but to the faults in the country itself, a most unpatriotic piece of conduct on the part of these gentlemen. We, on this side of the House, have often been asailed as lacking patriotism when we have alluded to any defects in the North-West; but no member on this side of the House has ever given the North-West such a character as it has received to-day from its own representatives. I do not believe those hon. gentlemen have done justice to their country. I passed through the North-West twice last year, and from the time I left Winnipeg, proceeding westward, I was struck by the analogy between the appearance of that country then and the appearance of the great prairies of Illinois and Iowa when I visited them in 1856 when they were in a state of nature. As we passed along, although I saw some alkali land, some sandy lands, and sand dunes, and worthless land, yet my impression was that we have there stretches of hundreds of miles of very fertile country. When I saw the buffalo ranges near Calgary, with broad paths sinking into the sod five or six inches in depth and remaining for years after the buffalo had deserted the country, evidence of the vast herds having pastured on those ranges in years gone by, I was convinced that it was a pastoral country. When I arrived at Calgary the first agricultural fair in the North-West was in progress, and if I had any doubt before as to the agricultural capacity of that country, they were removed by what I saw there. I saw at that fair specimens of grain, of wheat raised at Fort McLeod, at Calgary and as far north as Edmonton—wheat of the very best quality, No. 1 hard wheat, oats weighing forty-eight pounds to the bushel, rye of the very best quality,

and peas—and from what I could learn, I believe there is no country where finer peas can be grown; potatoes a foot in length, turnips, beets, cabbages, pumpkins of enormous size, cauliflowers of the finest quality, with heads like masses of snow, one foot or 14 inches across; and celery, all giving indications of agricultural capacity which go to convince, and I was convinced that the North-West was a great agricultural country. Besides delivering a speech there, I had time to talk to some of the old settlers. I met one very interesting old gentleman named Mr. Livingstone, who had been in the country for twenty years, and he did not tell me that he had had four successful failures of his crops, but he told me that out of twenty crops on his ranche near Calgary—

Mr. PERLEY (Assiniboia). We are not speaking of Calgary.

Mr. CHARLTON. We are talking of the whole North-West from Winnipeg to Calgary and from the American boundary to Peace River. Mr. Livingstone told me that out of twenty crops he obtained nineteen good crops. I was particularly interested to know as to whether tame grasses had been tried there, in order to ascertain whether it took really ten acres to pasture one cow. Mr. Livingstone told me he had made the experiment, that two years before he had burnt over forty acres of the prairie and had sown timothy seed and harrowed it in. The first year's growth was not very liberal, but he informed me that last year, the second year, he cut on those 40 acres 85 tons of hay. I judge, therefore, that that country is capable of pasturing more than one cow for ten acres. I saw in the hands of the Rev. Mr. Brick, of Dunvegan, Peace River, specimens of all kinds of grain. I heard that gentleman give an account of that country, and it is evident that as far north as the Peace River valley we have a vast agricultural region with enormous capacity. I believe the North-West from the Red River, to Calgary, to the Rockies, and extending from the American boundary to the Peace River, is a country capable of supporting scores of millions of people. I believe it is to be the heart of Confederation, the backbone of this country, and we want to make it attractive to settlers. I believe we are losing time in allowing the United States to take the settlers, and it is the duty of the Government to see that we offer to those men liberal terms of settlement. We need not haggle with them. I believe in opening the whole country for homestead settlement, as the United States is open for homestead settlement. Bring in the settlers; as to what we should receive for the land, whether \$1.25 or \$2.50, is a subject not worthy of one moment's consideration. We want the settlers to occupy the country and to increase our revenue from Customs and other sources. We want to approach the consideration of this question not in that miserable partisan spirit that prompted the members from the North-West to justify the Government at any cost and that lead them to lick the hand that applied the rod; we do not want to consider the question in that way, but from a national standpoint in regard to the benefit to be conferred on the country. If we do so we will make our land law and our homestead law as liberal as that of the United States; we will offer our lands as cheap as those of the United States.

One word with respect to the position taken by the hon. member for Lisgar (Mr. Ross) with respect to the comparison that I made between our land laws and land regulations and homestead regulations, and those of the country that is our competitor for settlers. The hon. gentleman sought to misrepresent me—I shall not say intentionally—but what he said was calculated to convey a false impression as to the position I took. He, in effect, said that I denied or concealed the fact that the American Government had made land grants to railways, and that within the railway belt they had not alternate sections to offer. What I said was that the United States Government offered its land, not all

the land, but all its land; not the lands granted the railways, not the lands sold to individuals, not land granted to the homesteader, not the land that had been ceded, but that it offered all its land for homestead, not as we do, in 32 allotments of 160 acres in each township, but all its land for homestead wherever situated. I said that outside of their railway grants these lands are offered for sale at \$1.25 per acre, while we charge \$2.50 per acre south, and \$2 per acre north, of the Canadian Pacific Railway. I pointed out that the inducements offered to the settler are greater in the United States than they are here; and as an evidence of the liberal spirit which actuates the American Government, I pointed out that the United States House of Representatives, two or three sessions ago, passed a law that no more public lands should be sold, but that all the public lands of the United States should be reserved for homestead settlement, and not offered for sale at all. That law, which passed the House of Representatives, did not receive the sanction of the Senate, but it shows the liberal spirit manifested in the country towards the settler; and I reiterate what I have said before, that with the lands in the United States, outside the railway belt, offered at one-half the price that we ask for the corresponding land in the North West, with the whole public domain there thrown open to homestead settlement, while we offer but 32 allotments in each township, the inevitable and natural result must follow; and that result is that while there are nearly half a million people in Dakota, there are only about one-third that number in Manitoba and the North-West Territories. I approached the discussion on this subject—and I offer no excuse for opening it—in the hope that such a course would be taken as will promote the settlement of the North-West, and in doing that we will promote the best interests of the Dominion of Canada.

Mr. McDOWALL. Like the hon. member for East Assiniboia (Mr. Perley) I have not taken up much of the time of this House, because this is the first time I have addressed it. A challenge has been thrown out in the most direct manner by the hon. gentleman who has just spoken, to the members from the North-West Territory, whom he has accused of not attending to their duties and not looking after the interest of their constituents. Upon this question I am at direct issue with the hon. gentleman. I challenge him to point out any time at which I have not looked after the interests of my constituents, and I do not think that he can show that by act or word, or in any other way, I have failed to do so. I think he will find it a very difficult task indeed, to prove that my hon. friend from East Assiniboia (Mr. Perley) or the hon. member for Selkirk (Mr. Daly), has not looked after the interests of his constituents, or that he or any of us have neglected the responsibilities which have been cast upon us. The hon. gentleman says we should consider these questions, and this question particularly, in a cool manner; that we, as members from the North-West, should not consider them from a party standpoint at all. Who is it, I would like to know, that has made me consider these questions from such a standpoint? It was not the Dominion Government, it was not those who support the Dominion Government, but it was hon. gentlemen on that side of the House, who picked out a friend of theirs, and a friend of mine too, I am glad to say, and sent him from Prince Edward Island to contest my constituency against me in the most direct party spirit. I also assumed a party spirit, and I believe I was justified in assuming that spirit, and I believe, also, that I will be able to uphold the responsibility which has been imposed upon me, and to support the Government upon this question. I would like to say, in the first place, that some hon. gentlemen who have spoken regarding the North-West, and who have not been there very much, have overlooked one or two of the causes which are, perhaps, the principal causes that have

affected the immigration to that country. The bad seasons as the hon. member for Lisgar (Mr. Ross) has said, have certainly had a great deal of effect, but the bad seasons have not done everything. I do not believe myself that it is the liberal land laws, or the illiberal land laws of the Government, if you choose to call them so, that have had any effect at all. I believe that the emigrating public in the old country have not got the money to emigrate; and you have decided proof of this statement in the fact that we cannot take up a single newspaper in the old country, of whatever side of politics it may be, but is discussing the question of the Government assisting emigration. When I was in the old country last winter, I was astonished at the number of poor people who came to me and who, when I asked them why they did not emigrate, replied that if the Government would only pay the cost of emigrating they would do it, but that they had no money for that purpose themselves. This matter has become so grave in England that they are there seriously discussing the question whether or not it would be wise to assist emigration to this country. I do not believe it is the land laws at all that have retarded emigration. The bad seasons may have had something to do with it, but I believe the main cause is that the classes in the old country whom we want to get into the North-West have not money enough to emigrate. Times have been bad with them; they have lost or spent their money; they have not had work, and they have no money left to emigrate with. I believe that if times were good, and they had a little money laid by, we should have as good a chance of getting these classes of emigrants as they have in the United States. The hon. member for Montreal West (Sir Donald Smith) said that the immigration into the western States was increasing most rapidly, because they had in the eastern States a very large population to draw upon, while we in Canada have not that population. They had this population to draw upon in the eastern States when they first initiated the emigration to the west, and then they got so many people from the old country to go to the west that very naturally their friends in the old country followed them. I believe the best emigration agents we can have in the North-West are the actual settlers—those who find that they have prosperous and comfortable homes there, in spite of all the dreary pictures drawn of the North-West, and I know that there are many in that condition. I represent a district which has not had the benefit of railway communication, in fact the building of the Canadian Pacific Railway has been of the most indirect good to us; it has done us harm in some ways. We used to grow enough for our own wants in wheat, oats and barley, but wheat was the principal crop. The surplus was exported to Battleford, Fort Pitt and Edmonton, but when the Canadian Pacific was built the cheap rates of freight cut off that market from us, and yet we are still able to make a living. I do not think you can find many places in the Saskatchewan district in which an industrious man cannot make his living. I know that when I was through the country at the time of the elections, all the evidence I found was that it was the best country for poor men to settle in. This evidence was given by farmers who had settled there—not only by natives of the North-West, but men who came from the older Provinces of Canada, and others who came from the old country. The industrious, able, hard working men, the men who are not afraid of work, the men who are not farmers who sit beside the stove, the men who went out and did their work, gave that testimony—that there never was a better country in the world for the poor man. At the same time, in spite of its being a good country for the poor man, it has suffered from bad crops for the last three or four years, but I believe these are exceptional cases. It is well known that when the western States were being settled the people who emigrated there suffered in the same way. When I was in Iowa in 1878, I drove over the whole of the

Mr. McDOWALL.

western part of that state. At that time the whole country was suffering from the crops being destroyed by a plague of grasshoppers, but the farmers there said that, even though they did lose a crop for the year, if they had one good crop they could pull through, and I believe that hon. gentlemen will find that when our farmers in the North-West have been able to withstand the bad seasons of four years, as they have done, and if they get a good season this year, as we all expect they will, they will come through all right, and will only want the means of carrying their crops to the markets. I believe you will find that our immigration will increase, and that settlement will go forward rapidly. But we cannot expect immigration to increase to our North-West until it begins to decrease in the western States of America, because they naturally have the first draw on the emigrating public of the Mother Country, and so many have settled in the western States because those states have had many years advance upon us. Our North-West is merely in its infancy compared with the north-western States of America; and if we only got one-fifth, or one-tenth, or an infinitesimal part of the immigration, so long as the immigration to our North-West is proportionately as great as that to the north-western States, it will be a great feather in the cap of Canada. I am a north-wester; I am proud of the north-western people, and I do not shirk my responsibility. I support the Bill of the hon. Minister of the Interior. So far as clause 45 is concerned, I can assure you that second homesteads are the worst things possible for the North-West. At the time of the boom in the North-West, we heard hon. gentlemen on the Opposition side of the House asserting that the Government were giving land to their friends to speculate upon and lock it up from actual settlement. If you wish to create another class of speculators who will lock up the lands, you will permit second homesteads. I think I can prove this from the case of two important and growing towns in the North-West—or I should say one is a city—Winnipeg and Prince Albert, which present two very different aspects. Winnipeg calls itself the great city of the North-West, and it certainly has attained to a very great position, which I hope will grow much stronger and greater. In the immediate vicinity of that city you will find a great deal of land unoccupied. This land was covered by scrip; it was sold to speculators, and it is held by speculators; and this was considered so great a drawback that a company was formed to buy up that land and sell it to settlers, so that it would be cultivated; but, unfortunately, that company came to nothing. The Secretary of the Board of Trade of Winnipeg also sent circulars to everyone who held any of the land in the vicinity of Winnipeg asking him the lowest price he would take for it, the Board of Trade considering it of such importance to have the land occupied that they offered at their own expense to try to get settlers to occupy and cultivate it. Prince Albert also, although not having the advantages of Winnipeg, and although hundreds of miles away from any railway, is a great and thriving town in the midst of a magnificent farming district, and unlike Winnipeg, the farms of the district come right up to the very doors of the town. But supposing you permitted second homestead entries, the settlers, knowing that if the town of Prince Albert becomes the great centre that we who live there believe it will become, their lands will become very valuable, would leave them, with the small improvements they have made, and take up second homesteads at a greater distance from the town. Thus we would have at Prince Albert the same difficulty that Winnipeg has to-day. Instead of thriving farms, well cultivated and well stocked, we would have land lying vacant and barren, simply because another class of speculators had been created. Now, I do not altogether agree with the hon. member for West Assiniboia (Mr. Davin) that a very great injury will be done unless this clause 45 is altered to permit

a second homestead to everyone who made his entry on the 2nd of June, 1886, instead of on the 2nd of June, 1883. I believe this clause as it stands will satisfy most of the people in the North-West, and I trust that if there should be any case of hardship, every member of this House, on whatever side he sits, will support the hon. Minister of the Interior in meeting such a case. I know that in introducing any new system, we cannot expect to benefit the general public without doing some injury to a few; and if a few are injured in this case, I have no doubt their cases could be provided for by means of an Order in Council. But we ought to oppose the creation of a second class of speculators by means of second homesteads, which would be totally inconsistent with the principle of the Dominion Lands Act. The principle of that Act, as I take it, is that the Dominion Government offer lands to actual settlers who will come into the country and make it their home, and by doing that contribute to the wealth and prosperity of the country. But if in this way you bonus speculators, as it were, by locking up the most valuable lands in the country, I believe you will be committing a great mistake. Now, Sir, I have only one other matter to advert to just now, and that is the statement of the hon. member for North Norfolk (Mr. Charlton), who said he was astonished that the task of defending the North-West was left to him, because the North-West members were seeking to justify the Government, and in so doing were adopting a most unpatriotic course. I must repudiate that statement, and I say the hon. gentleman had a great deal of assurance in making it. We are independent people in the North-West, and I am thoroughly independent here as a representative of those people, and I will maintain my position when I know I am right. I consider that I am perfectly capable of defending the interests of the settlers of the Saskatchewan. I think the Minister of the Interior proposes this land Act for the general benefit of the country; and I believe that we in the North-West, if we are to make our country prosperous, must never forget the interests of the great Dominion at large, of which we are a part; and it can never be for the benefit of the Dominion that land should be locked up as it would be if the amendment proposed were adopted. I believe the settlers in the Saskatchewan district will be able to pay for their lands if they are given time. I do not believe there is a single man there now who could pay for his preemption within six months; but I do not believe the Government will insist on payment within the time if the settler is unable to pay. I believe, too, that the land will be worth \$2 an acre; if it is not, it will not be worth 20 cents; but I hope with the growth of settlement there to see it worth \$20 an acre instead of 20 cents. The hon. member for Norfolk (Mr. Charlton) said he went west. Where did he go? I never saw him in the Saskatchewan district. There are very few hon. members of this House whom I saw in that district. I think the hon. Minister himself is about the only member of this House who has been there. He says he went to Calgary, and that when there he was astonished at the products of the North-West; and I believe if he had come to Prince Albert he would have been equally astonished. But he did not. I am glad to hear he has changed his tune, because, although I have not been a member of this House very long, still, having my interest in this country, and being a true patriotic Canadian, I have read most carefully and often heard in the galleries above the speeches of hon. members here, and the impression produced on me was that members on this side did not think the North-West was a country worth building a railway through or developing in any way. I am glad to find, therefore, that the hon. gentleman thinks there is something in the North-West, and that it may soon be turned to very great account. I can assure the hon. gentleman that when the North-West receives its full tide of immigration, as I am confident it will, he will find it will become a most important factor in

this House, and the North-West being now represented in the House of Commons, the hon. gentleman will find its representatives, from the first day to the last day they are here, able to shoulder the responsibility put upon them, and answer for their constituents themselves, without appealing to gentlemen who have never visited the districts of which they speak.

Mr. TISDALE. I regret very much that hon. gentlemen in this House so frequently refer to the United States, in order to make disparaging assertions with regard to our country. It seems to me that, in the course of these and other debates to which I have listened for the short time I have been in the House, this disposition prevails to too large an extent, and it prevails in a spirit which is not to be found in the United States. It prevails in a spirit of contrasting and fault-finding with our country as distinguished from the United States. If those hon. gentlemen had, as I have, travelled thousands of miles through the territories and the western region of the United States, they would find there is a great deal of fault-finding there with the land laws; but they would find that, as a patriotic people, the instant anybody complains to the detriment of the country, the people unite to put him down. In fact, they have a very summary law there which they deal out to gentlemen who find fault with the country to the extent to which, I regret, hon. gentlemen here find fault with our country—they use what is called the lamp-post law.

Some hon. MEMBERS. Hear, hear.

Mr. TISDALE. I am glad to hear hon. gentlemen opposite approve of that sort of law, judging by the cheers they give. In regard to these land laws, the hon. member for North Norfolk (Mr. Charlton) is misinformed, or else he has not informed himself sufficiently, when he contrasts, as regards liberality, the regulations of the land laws of the United States with those of the land laws of our North-West. I agree with him this far, that when a much longer experience has prevailed in a country governed by wise laws like the United States, it is a good place from which to draw a parallel. But what is the tendency of the experience of the land laws of the United States? We find the tendency is to greater restriction and not to more liberality in the sense of granting lands to the public. I defy the hon. gentleman to point to a single Act of Congress, passed the last 20 years, certainly during the last 10, and more particularly, the last 5 years, which has not been restrictive in its effect. In the early days, the United States were very liberal, with a view of inducing settlement; they had not only homesteads and preemptions, but, what are called desert acts, and swamp land acts, and timber acts. What has been the result? The House of Congress, at its last session, repealed every one of the laws but the homestead laws, thus restricting in every possible way the granting of lands in excess of 160 acres to any one person. The Senate did not object to the spirit of this measure, but they objected to some of the details, and a joint committee was appointed by the two Houses, and this committee affirmed the principle that it was a mistake, as experience had taught them, to try and promote settlement by granting too many ways of getting lands. If hon. gentlemen opposite will read Sato on the history of the land laws of the United States, they would find that the whole tendency of additional facilities beyond homesteading being given for getting land, has been to bring about what the hon. gentleman, who has just spoken, stated was the case in the North-West. They give facilities to land-grabbers and speculators, who took large portions of the domain and locked them up. The United States are, therefore, moving in the same direction as the Minister of the Interior is to-day, when he is repealing the second homestead. They never, with all their liberality, thought of giving a second homestead and the result of their experience is

that a homestead pure and simple of 160 acres is the most anyone should get. There is nothing like personal experience and knowledge. Hon. gentlemen opposite talk of its being a simple thing to get homesteads in the United States. Distance lends enchantment to the view. Let them go and try it. As contrasted with our system of taking two witnesses before a land agent and taking out the patent, there you have to advertise for two or three months, giving the names of three witnesses; and after that you have to go before a court, sometimes 600 miles away, before you can get your title. There you are met by an objecting court, which treats you as a land-grabber, and puts every possible obstruction in your way. A list of printed questions covering three pages of paper is given to the settler to answer, and these questions enter into every detail, even to the number of chickens the settler raises on his farm, the kind of house he has built, and the sort of grain he grows. Under the United States regulations also, the settler has to reside five years on his lands instead of three, as in our case. I say that their experience, and they have had a longer experience than we, is altogether in the direction of abolishing everything but the simple homestead, and restricting settlers to 160 acres. Now, Commissioner Sparks, who is the gentleman at the head of the Department of the Interior in the United States, and who took the lead in this recent agitation, particularly in regard to the reform of these abuses in the United States, speaking of the preemption system in his report of 1885, said:

"The preemption system no longer secures settlements by preemptions. If it did, or could be amended to do so, it would be useless for any good purpose, because supplanted by the more effective homestead law, if a home is the real object designed to be secured. If a home is not the object, the sooner the facility for obtaining land without making a home upon it which is offered by this system is removed from the statutes, the better for the settlement interests of the country and the future of its institutions."

His opinion, founded on a large experience in the important office he holds, is deliberately against preemptions. The Minister of the Interior still allows preemptions. We did allow second homesteading. Why? Largely—I was in the North-West at the time of the agitation—in the interest of speculators. I tell you, Sir, that the entries then made, were made largely with the idea, as subsequent events proved, of getting more land, and not of making homes for men who wanted to go there and work 160 acres. It was not the men who wanted to go there to make homes for themselves and to work 160 acres of land. Look at our own Province. Who are the men who progress? Not the farmers who have too much land, but the farmers who have a sufficiency of land, who work it well and attend to it well, and grow their crops largely by their own efforts and the efforts of their families. So should it be, I think, with pioneers; and, as far as my humble opinion goes, reading up this matter as I have, carefully, travelling, as I have travelled, largely over the western territories of the United States, I believe that the sooner preemptions are abolished in either country, the better for the settlement of the country. One last word. So much about the clamor in regard to the western territories. Come down to the statistics. Contrast our North-West Territories, for the time we have been in there, with any other territories. Make a parallel, and you cannot prove one that has developed faster than our North-West, even with the bad crops. I had relatives who were living in the State of Kansas during the grasshopper plague, not many years ago. At that time, in the city of Kansas, you could get the best houses by paying the taxes, and they only had the grasshopper plague for a short time, as in the North-West they have had bad crops for the last three or four years. But it almost paralysed the city and the State. It was only a passing disaster, as these bad crops have been in the North-West. My hon. friend from North Norfolk (Mr. Charlton) has never heard me accuse any party of want of

Mr. TISDALE

loyalty or patriotism, but it is the leaders who are trying to incite their followers, because they see that the Conservative party has so much the best of them. I have stood shoulder to shoulder with the Reformers when occasion arose, and I believe the body of them are willing to turn out to-day, as they always have been in the past, in defence of their country. I regret that party politics should lead to such action as I deplore on the part of their leaders, and I would condemn the same thing if it came from any side. If I live to be in this House long enough—as I think I shall not, for I think it will be long deferred—to see those hon. gentlemen in power, I will stand up and say, as I do now, that, if you do not mislead them, the great body of the people of this country believe in its future, believe in its capacity, believe in our ability to work out in the future what, if we stick to it, we will work out, by the united action of the two parties. If you look at the picture in the reading room of the fathers of Confederation, you will see that they were not made up of one party alone. I take this opportunity, which will probably be the only occasion on which I will trouble the House, to beseech hon. gentlemen on both sides, while criticising, as is right and proper, the actions of the Government, not to be led away from the interests of the country by a party political view. I do not think anyone on that side of the House regrets more than I do that the leader of the Opposition has been so stricken that he cannot continue to lead them, because I believe, as I have said on other occasions, that it is of great advantage to the country and of great advantage to the Government themselves to have a gentleman as leader of the Opposition who is so well able to criticise their actions, and to see that any legislation which their feelings or their prejudices might lead them to bring forward is properly criticised. This great North-West must be the future factor in building up the Confederation, because there is to be the great home for the millions of people whom we are to have if Confederation is to be more than an empty idea, and, therefore, do not send it abroad, do not let the people who are our rivals in inducing immigrants to settle in those Territories, convict us out of our own mouths.

Mr. PATERSON (Brant). That is a good wind-up to the speech of the hon. gentleman, and I trust that it will not be without its effect on the members for Selkirk (Mr. Daly) and Lisgar (Mr. Ross). They certainly deserved that chastisement at his hand. It is true that the graceful tribute which he paid to the leader of the Opposition was a worthy one. In discussing questions of this kind, he always did it with the idea of furthering the best interests of the country and from a position apart from partisanship. He could view matters on their merits, and he never felt it incumbent on him, for instance, when a question like this was under discussion, to rush to the defence of the Government to say that everything they did, everything they thought of, everything they ever meant to do, and everything they ever expected or thought of doing was all right. He would look at the question fairly and would make his deductions from facts that are known, and, unlike the gentlemen who are representing that country here, and whom I was sorry to hear speak as they did this evening, he would not attempt to justify all the actions and policy of the Government, if need be, by sacrificing the country itself, as I consider those gentlemen did. We remember a perfectly fair comparison which was made by that hon. gentleman some years ago, but it was denounced by gentlemen on the other side. He was told that that speech would be used by the immigration agents of the United States, that it would be used by them as a lever against this country. What was that speech found to be? Was it found that he had praised that country above his own? Nothing of the kind. But this afternoon we hear from the members for Lisgar and Selkirk—

Mr. LANDERKIN. What about the member for Saskatchewan (Mr. McDowall) ?

Mr. PATERSON (Brant). Well, he wished to say a good word for his country, if he could not do that without denouncing the Government at the same time. But whose likeness will be put on the immigration pamphlets of the United States now, unless it is the likeness of the member for Lisgar (Mr. Ross) and the member for Selkirk (Mr. Daly), who rises and reads a lecture to the member for Bothwell (Mr. Mills), and why? Because he took their own agricultural statistics, given to us by the Government, which show an exodus of 100,000 people out of this sparse population of Manitoba and the North-West during the last few years. The hon. member does not rise to deny that fact, but he rushes in to say that what the hon. member for Bothwell (Mr. Mills) has stated is incorrect, that the deduction he draws from that statement, that there has been Government mismanagement, is all wrong, that the Government policy is right, that their railway policy is right, that their land policy is right, that the railway rates are all right, but the country is wrong, because they have had four successive frosts; and that is to go abroad. The statement of the member for Bothwell (Mr. Mills) may go abroad, and those who see it will say it is a great country, because he spoke so well of it, as did the member for North Norfolk (Mr. Charlton), and as I was glad to hear my hon. friend from Marquette (Mr. Watson), who always speaks well of it, state that for ten years he had never known the crops to be frosted in his constituency. He also tells me that, in the constituencies represented by those two hon. gentlemen opposite, they have not had their wheat frosted at all. They do not stand up and deny that statement as to the frost, but they make the broad statement that the reason for the exodus has not been any fault of the Government in their land policy, or their railway policy, or anything else, but because the country will not yield the fruits of the earth, that they are destroyed by frost and drought, and that it is, therefore, not to be wondered at that the people leave it. It is most distressing, it is most disheartening that we should hear such statements from those hon. gentlemen. Glad was I that the hon. the Minister of Finance was not in his seat. Glad was I that the member for Hamilton (Mr. Brown) was not in his seat, to have had their feelings harrowed by listening to such statements as these. I have not had the opportunity of being in that country, but I have read about it, and, as the hon. member who last spoke did, I have always maintained that, if we have not a great country in Manitoba and the North-West, we cannot hope to become—as I fondly dream, as a Canadian, we will become—a great people in this country. I have examined everything which I possibly could in relation to that country. I propose at the first moment to make that personal examination of it. I am glad to know that if the remarks of these gentlemen might, perhaps, be true with reference to a certain portion of that country, they are not applicable to the greater portion of it, but that there is a climate, there is a soil there that would induce emigrants from the old country to settle there as readily as in the United States, provided things were equal. But I am of those who believe, of those who express the opinion, that the cause of that exodus—that cannot be denied, without denying the truth of the figures submitted by the Government—the cause of that exodus is not to be found in the fact that that country is unfit for habitation, a country that will not yield the fruits of the earth; but that that exodus has taken place because of governmental mismanagement, because that country has been shut up under the iron grasp of a monopoly, because its land laws have not been as liberal as those of the United States. I charge that exodus, I charge the miserable failure

of people that country—not as those hon. gentlemen opposite have done, because we have not a soil and a climate equal to those of the western States—but I charge it upon governmental mismanagement, and I blame hon. gentlemen opposite, who are the representatives of that country in this House, for rushing to the defence of the Government on every occasion, not for speaking in defence of their country, instead of, in order to shield the Government in their mismanagement, saying things with reference to their own country, that I am happy to have heard contradicted by the hon. member for Marquette (Mr. Watson) and the hon. member for North Norfolk (Mr. Charlton). Sir, the hon. gentleman opposite gave a little while ago a single vote against the Government, and I think we were given to understand that he received permission to do it. It does seem as if he had been on the penitent bench doing penance ever since in order to wipe out that act; it does seem as if that permission was to be atoned for and paid for by the most slavish submission to every proposition offered by the Government in reference to every question, and that he will stop at nothing to shield them, even though it be to decry the country that he lives in. But, Sir, I am glad to have heard this statement contradicted by the hon. member for North Norfolk, I am glad to have heard his testimony as to what his eyes saw of the capabilities of that country. And I am always glad to listen to the patriotic sentiments and utterances of that noble defender of that land, that true representative of the North-West, sent here in the person of the hon. member for Marquette (Mr. Watson); and I trust he may long be spared to us, and that the time may come when the North-West will send more of those who will speak of her—I do not wish them to speak of her in terms that will not bear criticism, I do not wish them to make statements that are not borne out by facts—but I do wish there were more representatives like the hon. member for Marquette, who would not feel it incumbent upon them on every occasion to justify the acts and the policy of the Government by sacrificing every interest of their country, and denouncing the very soil upon which they live. The hon. member for East Assiniboia (Mr. Perley), if I mistake not, seems to have pursued rather a more patriotic line than some of his fellow representatives. He sees the difficulties of the situation. I do not pretend to say whether he is right or not, but he does seem, from his experience and observation, to have detected some cause, other than a bad soil and a bad climate, and the eternal frosts and snows which are assigned by other hon. gentlemen. He thinks it possible that there can be amendments devised to these laws. Take the very report before us now—that is an attempt upon the part of the Minister to remedy what he considers faults in the laws. Why, then, is it not right and proper for us to offer suggestions and amendments without gentlemen opposite rising and springing at the throats of gentlemen on this side for offering them, because, forsooth, they take it for granted that every suggestion that is offered from this side of the House is necessarily made in a partisan spirit? Sir, I have not heard any remarks from gentlemen on this side delivered in the spirit that is imputed to them by hon. gentlemen opposite. I do not think the Minister of the Interior himself could charge that upon us. In the remarks of my hon. friend from Marquette, and of other hon. gentlemen on this side, it seems to me the question has been approached with a desire to find out what evils do exist in that country, and to see if some remedy could not be devised. For, Sir, it is a fact staring us in the face, a fact that we cannot get over, that if the figures given to us by the Agricultural Department are true, there has been a great exodus from that land, an exodus from a land which we wish to see peopled, and in which we all desire to see pouring hundreds of thousands of immigrants. The hon. member for East Assiniboia (Mr. Perley) gave another

reason. He did not bear so hard upon the country, although he alluded to it, but I think the reason he assigns will not bear investigation, namely, that the people in the old countries are not able to immigrate. Let the hon. gentleman take the report of the Minister of Agriculture, and he will find that he represents them coming by the tens of thousands into this country. So we have the facts before us, not that the people are unable to emigrate, but the Minister of Agriculture tells us that they have emigrated, that they have come into our midst, not 10,000, not 20,000, not 50,000, but over 100,000 a year have come into our midst and settled down amongst us. So that argument will not bear investigation. How is it then that when they do come to us we are unable to retain them?—having a soil and climate equal to other portions of this continent—save and except it be that there must be some fault, some mismanagement on the part of the Government in their dealings with that country. This fact, I think, must be forced home upon the minds of every member of this House, and it well becomes us to approach this question in that light, and not seek to defend the Government at all hazards, instead of trying to ascertain the cause of the evil. I take it as an evidence that there can be improvements made, by the very fact that the Minister has submitted this Bill. Why may we not criticise it and see whether amendments cannot be offered? I trust that the Minister of the Interior will be willing to accept amendments which he believes will tend to retain what population we have there, and draw more to us. Now, I will answer another statement of an hon. gentleman who reflected upon the members of the Opposition, when he said that while sitting in the galleries he had observed that one of the greatest drawbacks to immigration to that country, was the fact that the Opposition had opposed the construction of the railway. Sir, that was not opposed by members of the Opposition, but we only objected to the manner of its construction, and to the monopoly conceded to the company. Sir, we see that to-day that monopoly power that was given to this company, and that was opposed by gentlemen on this side, is bearing the bitter fruit we foretold it would bear; and, I believe, that is one of the great causes of the ills from which that country suffers. I am not alone in that opinion, for if we may believe the reports that reach us from the North-West, almost the whole community in the Province of Manitoba are united in declaring that it is vital to their very existence that this monopoly should be removed, that they are determined to expend their last dollar, almost, if need be, in the construction of a road that will give them relief. Sir, we did not oppose that road as an aid to colonisation, as an aid to settlement, but the contention was against giving the company monopoly powers, against putting a power into their hands, that they are now using with the effect of driving people out of that country. Sir, these are the reasons why we have criticised it, but our criticism of the Government railway policy was not made in hostility to the Government, our criticism of their land policy was not made in hostility to the Government; but we maintain that their entire railway policy and their entire land policy are calculated to produce evil results, and the evil results have followed that we predicted at that time. And it may be beyond our power, perhaps, to remedy all the defects and errors of judgment committed, but I hold that it is our bounden duty to remedy them as far as lies in our power.

Mr. WHITE (Cardwell). I do not think the committee will expect me to follow the hon. gentleman in the speech just delivered. We are discussing the details of a Bill which all parties, I think, admit so far as its general scope is concerned, will be for the advantage of the settlers in the North-West. That Bill really provides for an extension of the privileges and advantages of settlement to those who

Mr. PATERSON (Brant).

wish to go into the country. But I cannot allow the remarks of the hon. gentleman to pass without one word at all events, and that is that his attempt, his feeble attempt, for with all the sound everyone will admit the attempt was feeble, to fix upon the hon. members who represent the North-West and Manitoba an unfriendliness to the constituencies which have sent them here. We have had those subjects discussed in this Parliament for the last eight years. We have heard hon. gentlemen opposite urging their views, and they have heard the friends of the Government and members of the Government urging and defending theirs. We have had the opportunity during the last elections of knowing the sentiment of the people who are most intimately affected as to the rival policies of the two parties and as to the relative interest of the two parties, in that great country; and we find this: that out of the representation of Manitoba and the North-West we have but one hon. gentleman sitting on the opposite benches—and that hon. gentleman was certainly an attentive member of the House, and, if he could be judged simply by his attendance in his place, and without reference to the policy he has pursued, was entitled to consideration at the hands of his constituents—came here, I may say, almost by the skin of his teeth. Now, I ask whether, under these circumstances, we may not fairly ask hon. gentlemen opposite to drop the policy of the last five years. Give to the North-West, if you will do so in its own interest, a rest from the political discussions that have occurred in regard to it. I think nothing has done more harm in the North-West than the constant attempt on the floor of Parliament, and in the press, to create the impression that the settler had a better chance if he went into the United States, both as to the character of the laws under which he would settle and as regards the land upon which he would settle, than if he went into our own North-West. I will not detain the committee by referring to this old discussion, but I think I may fairly say that the hon. gentlemen who, on this side, objected to the tone of the discussion, to the tone of the remarks of the hon. member for Bothwell (Mr. Mills) and the hon. member for North Norfolk (Mr. Charlton), were perfectly correct in complaining that the tendency of those remarks was to create an impression outside of this House that the land laws of the United States were to the settler generally more liberal than those of our own North-West Territories, and on that account those who wish to settle where the land laws were liberal should go to the United States instead of coming to our own North-West. What I object to in the statements of the hon. gentlemen is, that they have not stated the whole truth. I do not charge them, I have no right to charge them here, with stating what is not true; but I do charge them with this: With concealing facts which, if stated frankly and fairly, would change altogether the current of opinion in relation to the relative merits of the two systems—that of the United States and that of Canada. The member for North Norfolk spoke of the United States giving their lands, their whole lands for homesteading; and when it was pointed out to him by the hon. member for Lisgar (Mr. Ross) that that statement conveyed, at all events, an erroneous impression, he fell back to the hypercritical statement that he meant all its land. But if all its lands excluded the settler from an area of forty miles from a railway on either side, are you not deceiving the people outside as to the advantages which they obtain when they go there? Take the railway running through Dakota—the Northern Pacific. The lands given to that railway are in belts 40 miles on each side of the road. Within that area of 80 miles—an hon. gentleman near me says it is 50 miles on each side; I was under the impression it was 40—within that area on both sides—

Mr. CHARLTON. Will the hon. gentleman allow me to correct him with respect to the land grant of the Northern

Pacific. The land grant of that company was twenty sections to the mile in the States of Wisconsin, Minnesota and Oregon, and forty sections to the mile in Dakota, Montana and Washington Territory.

Mr. WHITE (Cardwell). Extending outwards on each side? That is 80 miles, and that is precisely what I stated. An hon. member near me stated it was 50 miles on each side, but I said it was 40. Here are 40 miles on each side of the railway, where no man can get an odd section unless he pays the railway company their price for it. There are, therefore, only the even sections. What can he do with the even sections? The settler can only get 160 acres, 80 free, and for the other 80 he has to pay \$2.50 an acre, or an average, over the whole, of \$1.25, while we in the North-West, right up to the line of our railway, now give the settler 160 acres for the mere office fee of \$10. That is the difference between the systems of the two countries, and that fact the hon. gentleman concealed when he made his statement, a concealment which was calculated to create, outside of this House, in the country, a false impression in regard to the position of our North-West. What more? The hon. gentleman forgets that it has been the policy of both parties—and in this I am not criticising, adversely or otherwise, the policy of my predecessors in office—it was a policy of both parties, that we should build branch railways through the country by means of land grants. How was it proposed to be done? The hon. member for Bothwell (Mr. Mills), when Minister of the Interior, introduced a Bill which had merit in it, although it never became law, but it was an embodiment of the policy of the Government when it was submitted to Parliament. Under that Bill, taking the whole country together, the Government proposed to give an average of 10,000 acres per mile to any colonisation railway company that chose to go through the form of presenting their petition for incorporation by letters patent.

Mr. MILLS (Bothwell). No.

Mr. WHITE (Cardwell). 6,400 acres for one part, 10,000 for another, 12,000 for another part still further west, making an average of about 10,000 acres per mile. But if the hon. gentleman does not like it, I will admit it was 6,400 acres in one part and 10,000 acres in another part further west.

Mr. MILLS. The statement was, not to exceed a certain amount; that was the maximum.

Mr. WHITE (Cardwell). Does the hon. gentleman mean to insult the intelligence of this committee in this way? The hon. gentleman knows that when the quantity was not to exceed a certain amount, that was the quantity which the Government were ready to give to those companies. They might have given less or more; but the intention of that Act was, that if the colonisation railway companies would build the road they would receive those land grants. Where were we to get the lands? Were they to be odd sections or alternate townships? Then again, did they propose to throw open the whole country for homesteading? No; they never threw open the whole country for homesteading. But what they did was this: They threw it open for sale at \$1 per acre, and at such further price as the Government might choose to impose when the railways were built, and increased value was given to the land by the construction of those lines. When hon. gentlemen opposite had an opportunity of controlling the land policy of the country, every settler that went in got no land for nothing; he got the land for \$1 an acre, and he paid his dollar down, and was compelled afterwards to pay any price the Government might think the lands were worth after the railway was built, those lands being enhanced in value in consequence of the construction of the railway.

Mr. BOWELL. And they turned off the homesteaders.

Mr. WHITE (Cardwell). Yes, that was the policy of hon. gentlemen then, and, as my hon. friend says, they actually turned off the homesteaders. But I am not going into the details of the Bill. I am dealing simply with the general question which the hon. member for North Norfolk (Mr. Charlton) has raised, and which the hon. member for South Brant (Mr. Paterson) intimates is a patriotic utterance to be accepted by the Parliament of the country and the people of the country, as an evidence that love for their country and its development inspires the hearts of hon. gentlemen opposite and not the hearts of hon. gentlemen on this side. Now, Sir, take the case of the United States to-day, as compared with us. Every settler can get to-day in our country 160 acres of land for nothing; no settler in the United States can get more than 160 acres. There is the difference between the two systems. What is proposed to us to-day by my hon. friend from Assiniboia (Mr. Davin), what in point of fact has given rise to this whole discussion, is the proposal that the settler shall not only get the first 160 acres, which exhausts his claim in the United States, but having got it that he shall be permitted to get for nothing 160 acres more. That is the proposal which has given rise to the whole discussion on this subject. We give to the settlers who go in 160 acres of land for nothing; in the United States the settler who goes in can get only that quantity of land, and has to serve five years' apprenticeship, while in our country he serves but three years, and then he has all the difficulties which surround the obtainment of a patent in the United States, while we actually send the homestead inspector to his house, where he can make his settlement declaration, so that he does not need to leave his farm at all in order to get his patent. That is the difference between the two systems. And yet hon. gentlemen talk about the liberality, forsooth, of the American land law. I said earlier in the evening, and I repeat, that if we embodied to-day the American land laws on our Statute-books, and compelled the homesteaders in the North-West to take their lands under those laws, we would have every hon. gentleman from Manitoba and the North-West coming down here next Session with a strong public opinion at their back and demanding—and justly demanding—the repeal of those very laws. And I venture to go further, and to say that we would have every hon. gentleman on the other side of the House backing them up in that demand, and asking that the Government should repeal those laws. No, Sir, our land laws, at any rate, are not responsible for the difficulties that have occurred in the North-West. One of the things which has caused difficulties there is this; that we have had too much politics to the square acre in connection with the North-West. One of the difficulties is this; That in this country where we are comparatively—as compared with the United States—a smaller community, with great interests, it is true; with great possibilities, it is true; with great hopes and aspirations for the future, it is true; but yet with no great questions separating us, these North-West Territories and the interests of the settlers in the North-West Territories have become a factor in our politics, and have been used by hon. gentlemen opposite in the absence of anything better. They thought they could only succeed in securing for themselves the approbation of the public by making it appear that the Government was recreant in its duty to that great North-West country. These discussions, read by people who knew nothing of them, simply warned them that, at any rate, this was not a country to go to, because it was badly governed, its laws badly administered, and the chances of the settlers inferior to what they would be if they went to the United States. In the United States, on the contrary, they have so many great questions, they are so large a community, they have so enormous a population eastward, that they simply make their laws and leave the administra-

tion of them to their officers in the North-West; and you never hear—or rarely hear—of the discussion of those laws as a party issue in their politics at all. I would—and I say it most sincerely—that we could consider questions of the development of the North-West Territory, so far as our own land laws are concerned, as the common duty of both the parties in this country, and the fulfilment of our obligations in connection with them as the common heritage of both parties. Surely we can look at that country as one to which we can all put forth our best efforts for its development, because on that development must rest the future prosperity and greatness of the Dominion of Canada. For my own part, although I say it, I think I know as much of the sentiments of the people of the North-West Territory as any gentleman in this House who has not come from these Territories as a representative. I have had the opportunity of meeting them at public assemblies; at the twenty-two public assemblies that I held I discussed with them these lands regulations, discussed with them the cause of the difficulties they met with in the initial settlement of the country, and I have this satisfaction that if you will take the addresses which were presented to me in 1885, if you will take the subjects which were referred to in those addresses, you will find that nearly every one of them has been crystallised into law by this Parliament since, or has been embodied in the regulations of the Department of the Interior. That is the position in which the settlers stand to-day. They are now—let us all reverently thank God for it—they are now apparently on the eve of a magnificent harvest season. The news we are getting from the North-West every day, shows that the conditions upon which success must after all very largely depend—that is, the presence of the moistening rain which is falling in the North-West Territories to-day—are not lacking, and that they ensure them the prospect of good crops for this season. One season of really good crops in the North-West, one season of such crops as I believe the normal condition of that country, with the knowledge of the people as to the best modes of farming in that country, will certainly hereafter produce—one such crop will remove all those so-called and petty grievances, will make the people of the North-West happy and contented, and will bring into that country a stream of immigration which will add largely to its prosperity and add largely to the growth and advantage of the Dominion of Canada as a whole. Sir, these amendments which are in this Bill—simple amendments if you will, but asked for by the people there—it does seem to me might have passed this House without the kind of discussion which has been raised by hon. gentlemen opposite with regard to them. I can only sincerely hope that when the people of the North-West and the people abroad, come to read those discussions they will, at least, read both sides, and feel that after all these jeremiads as to the condition of our land laws and the condition of our settlers, of which we have heard so much from hon. gentlemen opposite, do not represent the true condition of things, but that in no part of God's universe can be found a place where settlers seeking homes for themselves can have better opportunities for securing those homes than they can in the Canadian North-West.

Sir RICHARD CARTWRIGHT. It would appear that the minds of the hon. Minister of the Interior and of most of his colleagues, and notably the First Minister, are capable of only two ideas. Make a criticism of anything which those hon. gentlemen bring down here, a criticism which they cannot answer, and you are forthwith charged with being unpatriotic. Point to any act of theirs, no matter how clearly it may be proved that that act has resulted in the worst possible consequences to the people of this country, and they turn round upon you and say: Thanks to returning officers and revising barristers, we have a major-

Mr. WHITE (Cardwell).

ity, and, therefore, we are right. Those are the two arguments of the Minister of the Interior, the two arguments of the First Minister, and they are reechoed by their colleagues and their supporters on the back benches. Now, if ever there was a case in which any set of men stood condemned out of their own official records as having grossly mismanaged a noble country—because there I agree with the Minister, and it is the only point in which I agree with him—it is the case as evidenced from the proof given us from the official records laid upon the Table of the House a few months ago, with respect to the results which have attended those hon. gentlemen's so-called efforts to colonise and build up the North-West. Why, Sir, was there ever known a case before in which a Minister of the Crown, on the faith of his own reports, had time and again stated to the House, and time and again stated to the country, from one end to the other, that there were 250,000 people in the North-West three years ago?—was there ever a case known in which, when you come to take a census by head, it was found that a quarter of a million three years ago had shrunk to 118,000 whites? If we take their own records there has been an exodus of 112,000; if we take the statements made by the Ministers themselves, there has been an exodus of well nigh 140,000 from Manitoba and the North-West within the last few years. And with a fact like that staring him in the face, the hon. gentleman dares to lecture the members on this side of the House because they call attention to statements which show conclusively one of two things: either the hon. gentlemen were most grossly deceived, or that they were guilty of the grossest misrepresentation to the people of this country. Let them take their choice; they must admit that the statistics brought down by the Department of Agriculture were grossly fraudulent (for nothing else will account for such a state of things), and deceived them, or else that they themselves deceived the people of this country. Sir, I judge these hon. gentlemen by their fruits—aye, and I judge them by the promises they made. Can they deny, dare they deny, that when the Canadian Pacific Railway scheme was pushed through the House, the First Minister and the Minister of Finance promised us faithfully that we would receive, by 1890, \$70,000,000 in cash and in mortgages? Why, Sir, it is on the *Hansard*; I have the record here, if the hon. gentleman wants it. Can he deny that three years afterwards the hon. gentleman brought down to us a formal statement in detail, certified by the Deputy Minister of the Interior, showing a clear profit of \$53,000,000 to be realised by the 1st day of January, 1890—because they were precise; they were particular; they gave dates, and facts, and figures; and I turn to the Public Accounts, and I see to-day a deficit of \$1,200,000 on that account. Sir, I am not going to enter into a discussion now of all the details of this Homestead Bill; but I have a word or two to say as to the policy propounded by my hon. friend. I think the hon. gentleman who accused my hon. friend of concealment of facts would have done well to have informed the House that, in a tract of country which in 1877 was not at all likely to be sold for a good many years to come, my hon. friend proposed to give only 6,000 acres, and, moreover, that he did not propose to give those as selected lands. They were to be taken as they came, and the hon. Minister, if he has travelled over that country, must know that there are many portions in which a gift of 10,000 or 12,000 acres per mile not selected, but taken as they come along the line of the railroad, is very far inferior indeed to 5,000 or 6,000 acres in other sections of the country, and that is particularly applicable to the district into which my hon. friend has divided that region. Neither do I think he was quite correct in his remarks as to my hon. friend's measure.

Mr. WHITE (Cardwell). Did he complain of his policy?
Sir RICHARD CARTWRIGHT. No, but he did not state it correctly; and the man who found fault with my

hon. friend from North Norfolk was doubly bound to be accurate in his criticisms of my hon. friend from Bothwell. Now, Sir, what are the points in discussion between us, which I think the hon. gentleman might better have discussed than to indulge in all this declamation about the unpatriotic conduct of the Opposition in calling attention to facts which no human being can deny or conceal. They were mainly two. My hon. friend pointed out, and with much force and sound argument, that in the present condition of things in the United States, and after Manitoba and the North-West had received, as they unfortunately have, so serious a set-back, you might very well allow the settler to homestead on any Government lands whatever. That was a fair and reasonable proposition—a proposition well worth the attention of the Minister and the House; and my hon. friend was quite right in calling attention to the fact, which the Minister of the Interior did not deny, that this is in substance the policy of the United States. They may not give so large an amount of land as we do, but they allow any homestead settler to take up any of the land of the United States that he can find; and that that is the law has not been denied on either side of the House. The other point raised by myself and some other gentlemen was this: that in view of the extraordinary misfortunes which were stated by members on the other side of the House to have overtaken the people of Manitoba and the North-West, the time had come to reduce the somewhat heavy price about to be exacted from them for preemption grants. Surely, Sir, those were reasonable propositions, involving no want of patriotism; and more than that, they involved no want of consideration for the unfortunate settlers in the North-West. It did not lie in the mouth of the hon. gentleman, nor was it wise on his part to charge the Opposition—who brought forward these facts in a perfectly fair and legitimate spirit—with lack of patriotism, or with degrading the country, because they suggested two amendments, both of which, I venture to say, will find very general acceptance among the people of the North-West, whenever the facts come to be detailed before them. Now, Sir, what I say to the House and the hon. gentleman is this: For once in your lives, if you can, be candid, be fair; admit what is patent to all men, that your policy of colonisation has been a miserable and disastrous failure, and apply yourselves to find a remedy. I say that never has there been a case in which money has been poured out so lavishly, in which so many exertions have been made, both publicly and privately, as have been made by the people of Canada within the last few years to promote the settlement of the North-West. Seldom have such exertions been attended by such disastrous results, and I will tell the hon. gentleman again what the causes have been. I do not believe the failure of settlement is due to any fault in the climate or in the soil of the North-West, I agree with the Minister that it is a fine and a great country; but I say that if you had exerted your utmost ingenuity to devise a means of choking settlement in the North-West, you could have attempted no better way than that most unfortunate checker-board system, by which the difficulties of settlement were intensified in the highest degree. I say you could have taken no better means for choking settlement in the North-West than to load down those unfortunate settlers with the monstrous system of taxation which the hon. gentleman and his colleagues have imposed for robbing them of one-third of their miserable capital, without any rhyme or reason, and in defiance of the plainest dictates of political economy and common sense. There may be some reason for applying this system to the older Provinces of Canada; I am not going to discuss that; but it was simply ruin to the people of the North-West, and they have found it out. And most of all, you have choked settlement, and you continue to choke it, by that outrageous act of tyrannical usurpation by which this Government has,

I believe, illegally deprived the people of Manitoba of their constitutional rights as free men to build roads with their own money, and bound them hand and foot by a monopoly, the like of which has never existed in any civilised country.

Mr. WHITE (Cardwell). There is only one point in the hon. gentleman's speech to which I wish to refer. The hon. gentleman has stated that I have misrepresented the policy of the hon. member for Bothwell. Now, I happen to have that hon. gentleman's Bill. Here is the clause. On reading it he will find that the "checker-board system" is embodied in the Bill, and the quantity is as I stated, 6,400 acres, ten sections of 640 acres each, in the earlier parts, about 8,000 in the second and 12,000 further west:

"26. The Governor in Council may, for the purpose of aiding in the construction of any railway to be constructed under the provisions of this Act, reserve every alternate section of ungranted land by old numbers, to the extent of ten sections per mile, five sections per mile on each side of the line of the railway, exclusive of the sections which under the Dominion Lands Act may have been reserved as school sections or may have been allotted to the Hudson's Bay Company; and for any line or part of a line of railway west of the 102nd meridian of west longitude twelve sections per mile, and for any line of railway connected with the Canadian Pacific Railway and extending into the Peace River District twenty sections per mile."

Sir RICHARD CARTWRIGHT. That is what I stated.

Mr. WHITE. The hon. gentleman charged me with having misrepresented the policy of the hon. member for Bothwell.

Sir RICHARD CARTWRIGHT. The hon. gentleman said my hon. friend granted 10,000 acres per mile, whereas he had granted 6,000 in the alternate sections, a certain larger quantity in the more remote sections, and a certain still larger quantity in other sections.

Mr. WHITE (Cardwell). That is precisely what I said. I said it made an average of nearly 10,000 acres.

Sir RICHARD CARTWRIGHT. That is not a fair way of stating it, and as to this checker-board system, the hon. gentleman's statement is quite preposterous. My hon. friend when the country was unknown and very slightly settled, may have introduced such a proposal in his Bill, but there has been proof for the last eight or nine years, which the hon. gentleman's predecessors ought to have been acquainted with, that it has been doing intolerable mischief, and it is no excuse to say that six, seven, or eight years ago such a system was talked of.

Mr. DALY. I am not going to detain the House, but as the hon. member for South Brant (Mr. Paterson) has alluded to me, it is necessary I should say something in reply. Our hon. friends opposite, at least the hon. member for Bothwell did, charged me with discussing this matter in a partisan spirit. I would ask hon. gentlemen, who was the first to introduce party politics, if it was not the hon. member for Bothwell himself. We were discussing this Bill quietly; I had seconded the motion of the hon. member for Marquette, to permit homesteaders to get their preemptions at a dollar an acre. I never sought to discuss the question from a party standpoint, but the moment the hon. member for Bothwell thought he could have a slap at the Government, he was the first to introduce party politics. At the same time, I do not defend the whole policy of the Government. I have given evidence in this House that I am not in accord with their whole policy, I voted against them the other night, and would vote against them again on the same question. I condemned them then, and will continue to condemn them as long as they maintain their policy of disallowance. It, therefore, does not lie in the mouth of the hon. member for Bothwell to say that I am the slave of party. I am a member of the Conservative party, and I trust that I shall continue so as long as it conducts itself in the manner it has. I am proud to belong to it, I am proud to follow the right hon. gentle-

man, the First Minister, who has, by the manner in which he has conducted the affairs of the country, so long retained the confidence of the people. No doubt he went out of office in 1873, but he came back in 1878; again, he came back in 1882, and he was returned once more in 1887. That ought to justify me in saying that the people of this country, especially the people of the North-West, must be perfectly satisfied with the manner in which he has generally conducted our affairs. What I particularly wish to draw attention to is that the hon. member for Bothwell sought to charge, by innuendo, and the hon. member for North Norfolk charged by deliberate statement, that the land policy of the Government was one reason why the North-West was not settled as rapidly as it should have been. We had the old story of the exodus of 100,000 people reiterated by the hon. member for South Oxford (Sir Richard Cartwright) and the hon. member for South Brant (Mr. Paterson). It must be a particularly sweet morsel for those hon. gentlemen, that they are so fond of rolling it on their tongues whenever they get a chance, and giving the statement all the circulation they can. But it is not a fact that there was this exodus. I showed by the figures there was not such an exodus.

Mr. MILLS (Bothwell). You did, and you cannot show it.

Mr. DALY. No doubt there is a discrepancy, as I admitted the other night, between the census and the returns of the Department of Agriculture; but that discrepancy is not accounted for in the manner these gentlemen account for it. I say it does not show there was an exodus of 100,000 people from that country. I have tried to show that a great many people who were counted as immigrants came into the country, went to the Rockies and to Vancouver to work on the Canadian Pacific Railway, and then returned home again after their work was through, and a great number of people, counted as immigrants, went out to the North-West during the boom, and have since returned to the east. I stated also, referring to a couple of frosts from which we suffered, that unfortunately we had been subjected to climatic influences which I hoped would not occur again; and I am perfectly satisfied that if our farmers had been farming then in Manitoba as they are farming to-day, the frost would not have affected them. Our system has changed since then. In the first years, our farmers neglected putting in grain as they should, they neglected their fall ploughing and did it in the spring, but they have learned a lesson, and I never saw such an area of ground ready for the crops as we had last fall. Every letter I get from that country says there is every promise of a glorious crop this year, and I reiterate that I am perfectly satisfied as soon as we have in our country the harvest we expect this year, all the agitation will be allayed to a great extent. The hon. member for South Brant charged me with decrying my country and saying the soil would not yield the fruits of the earth. Did I make any statement from which the hon. member could draw such a conclusion? No, Sir, I stand here as a representative of a constituency in Manitoba, and I can tell hon. gentlemen, Manitoba is the finest country under the sun. If the hon. gentleman would come out there, let him come in the early part of the month of August, and I will take him for a drive from the city of Brandon, 32 miles, to Souris city, through a continuous wheat field, the like of which cannot be seen in any other country. So far as the fruitfulness of our soil is concerned, how could I say anything except in its favor. I have seen six winters and six summers in that country, and all we ask is that the men who come to settle there, should come out with the belief that they can get along by working steadily and thoroughly as men have succeeded in the other Provinces. They must now not come out with the expectation that they need only

Mr. DALY.

to tickle the soil to draw forth a crop, but they must come determined to do as their fathers have done, live economically, get along slowly, not spend too much on machinery, and not purchase horses where oxen will suit. There would not be in that country the agitation which has taken place, were it not for the fact that many people expected to make a great deal of money more rapidly than the prospects in any country would warrant. I hurl back on the hon. member for Brant (Mr. Paterson) his insinuation that I stated our soil would not yield the fruits of the earth. I repeat that if the hon. gentleman will come out there, he will find our soil will yield the fruits of the earth in such a manner that he or any other Canadian will be proud of having such an inheritance. I have never stated in any discussion we have had here, that hon. gentlemen opposite are not loyal or patriotic; but I say that when they rise in their places and grow eloquent over this hundred thousand exodus, they are doing something which they must know is damaging to the country. I state as a fact that we have had those unfortunate frosts, but any evil results were not due to the fault of the climate, rather to the manner in which the people conducted husbandry at the time. All I ask of hon. gentlemen opposite is that they will give us a rest on this question. I do not desire to take up the time of the House further, and I trust, as far as the rest of this question goes, we will not have any more party in it, if the hon. gentlemen do not want it, but it does not lie in their mouths to charge me or anyone else with discussing this from a party point of view after the speech of the hon. member for Bothwell (Mr. Mills). I have a few amendments yet to propose which I hope the Minister of the Interior will accept. But, when I came to the House to-day, I expected that the question of party would not arise in connection with this measure. I do not think, however, that I would be doing my duty to myself or to my constituents if I did not rise and answer the speech of the hon. member for South Brant (Mr. Paterson). If the discussion goes further I think I may show that gentleman that I have some experience in the working of the land laws in that country, and that I have some idea of the requirements of the people there. I hope he will have as good a record to show when he goes back to his constituents as I have in regard to this matter.

Mr. MILLS (Bothwell). We have had a very extraordinary discussion to-night, and especially we have had very extraordinary speeches from the hon. member for Selkirk (Mr. Daly) and from the hon. member for South Norfolk (Mr. Tisdale). The hon. member for South Norfolk thinks it very unpatriotic to criticise the policy of the Government and to point out that that policy has in some respects been a failure, when the object of the criticism is for the very purpose of preventing those failures in the future. The hon. gentleman has become wonderfully patriotic. He thinks it is a singular misfortune that any hon. gentleman on this side of the House should tell the truth when stating the truth may not convey very agreeable information. The hon. gentleman has changed his views, no doubt, since the leader of the Government has gone from this side of the House to that. We know very well the discussions which the leader of the Government indulged in, which the whole Tory press of Canada indulged in, and which were so ably supported in this House for two Sessions by the hon. the Minister of Customs. We need only look back at the resolution proposed by those hon. gentlemen in the Session of 1873 to see how they spoke of the country, and it is only necessary to read the speeches which were made in support of that resolution to become conversant with the doleful pictures which were then drawn of the lamentable condition in which the country was found. We were told that no industries flourished in this country except soap kitchens

Mr. FERGUSON (Leeds). Hear, hear.

Mr. MILLS (Bothwell). Of course it was right and proper to make declarations of that kind at that time, but that statement was utterly at variance with the facts on that occasion; it would be far less at variance with the facts at the present moment. Then we were told in that resolution that there were thousands of people being expatriated from this country for want of employment, that our people were denied employment at home in consequence of the policy of the Administration, that our manufacturing industries were everywhere languishing. We had such pictures drawn of the condition of this country that one would suppose that no country on earth could have been in a more deplorable condition than Canada was at the time that the hon. member for East York (Mr. Mackenzie) was at the head of the Government. These observations were patriotic then, because they were made against a Reform Administration, and were made by hon. gentlemen who are now on that side of the House, but to make any statement of that sort at this time, however true it may be, is a most unpatriotic thing; and we are assured by the hon. member for South Norfolk (Mr. Tisdale) that, if he had his way, it would not be permitted, that, in fact, he would be prepared to mob any man at a public assembly who would say one word against the policy of the Administration, or would say that in any respect that policy has been a failure. A speech of that sort, coming from that hon. gentleman, is quite appropriate, for we know that in old days the party to which the hon. gentleman belonged had a very great repugnance to anything like free speeches or criticism of the party with which he is identified; and so at the present day, although these hon. gentlemen obtained large sums of public money towards a great public enterprise, and although they promised the people of this country that it would add nothing to the public burdens, and that we would realise from the sale of public lands, by the year 1891, \$70,000,000 in cash, so that an ample fund would be provided to wipe out the whole of the liabilities which were incurred by the people of this country, we are not at liberty, from the point of view of the hon. member for South Norfolk, to make any criticism of the policy of the Government, or to point out that these great expectations have not in any respect been realised. This afternoon, I pointed out that the immigration into the North-West country was not as much as the Government said it was, that there could be no doubt whatever that the policy of the Administration had been, for some cause or other, a signal failure. Are we to meet here and to shut our eyes to that fact? Is it unpatriotic to call the attention of the Government and the country to the fact that the policy which they have adopted has not succeeded, that the policy which they assured this House and the country would secure the settlement of that country has not secured its settlement? And yet these hon. gentlemen now tell us that to even mention that fact, to allude to it, is a most unpatriotic proceeding. Why, this is our duty here; this is our business. If the policy of the Government has not been what it was promised it would be, surely it is our business to undertake to amend it, and the first condition of amendment is criticism. The hon. gentleman from Selkirk (Mr. Daly) said that I attacked the Administration. I did nothing of the sort; I simply mentioned the fact. I pointed out that, for some reason or other, the North-West country had not been settled; I pointed out that, if the statistics of the Minister of Agriculture were to be relied upon, upwards of 100,000 of the people who went into that country had left it. There can be no doubt about that. He says that he answered that, but he never did. Does he pretend to say that he has given any explanation to the House to show that those people are still there? Why, the census taken by the Government shows that they are not there; and, what is more, the census taken by the Government of the State of Dakota shows that there is a large Canadian popula-

tion there, a very much larger Canadian population in that single territory than there is in Manitoba and the North-West together. I say that is an unsatisfactory condition of things. The hon. gentleman says that the land regulations in Dakota are less liberal than those in Manitoba. I do not say that he is wrong. I express no opinion upon that. I do not intend to be drawn away from the point we have before us by any declaration one way or the other on that question. But the fact remains that the Canadian people, in spite of these illiberal regulations, if they are illiberal, have preferred to go to Dakota rather than to settle in Manitoba. I say that the people of this Dominion would prefer to settle in Canada rather than in the United States, other things being equal, and they have not settled in Canada; they have gone to the United States, and they are there. What ground does the hon. gentleman give for this, what reason does he assign for their going there? There must have been some reason for their preferring the United States to Canada. The hon. gentleman has told us, if not in this discussion, on a previous occasion, that the railway tariffs are more burdensome in Dakota than they are in the North-West. In spite of these burdensome railway tariffs, and in spite of these illiberal land regulations, the Canadian population are there. Why are they there? The hon. gentleman, if we are to believe him, has given us a reason, that Dakota is a better country than Manitoba. He has told us that the frosts have driven the people out, have discouraged the population in the North-West. The Minister himself has given the unfavorable climate as a reason for the failure of the policy of the Government in securing the settlement of the country. But he says that this year there is a prospect of a good crop; there is a prospect this year of what has never been there before—a good crop; and because there is going to be a good crop this year for the first time, the people are going to be encouraged and settlers are going to flow in there. Why, Sir, who, on this side, ever gave such a representation of the country as these hon. gentlemen have given of Manitoba and the North West Territories?

Mr. DALY. I did not say it was the first good crop we ever had. We have had lots of good crops there. Even last year in the drought, some men had 36 bushels to the acre. I said that was one of the reasons of that country not being settled sooner.

Mr. MILLS (Bothwell). It is the only reason the hon. gentleman has given. If the hon. gentleman has any other reason, I will take my seat while he gives it.

Mr. DALY. I told you to-night, and I told the House the other night, that one of the reasons that accounted for the people not being there, according to the returns of the Department of Agriculture, was that a great many were counted as immigrants who went there to work upon the Canadian Pacific Railway, and that they went over the mountains, and that they went back east. A great number of people went there during the boom, temporarily, and they went back again to the east. I admit the exodus, the difference between the two sets of figures, but I do not say that these people all went into Dakota, that the whole 100,000 went into Dakota, as you claim.

Mr. MILLS (Bothwell). The hon. gentleman has now given us an explanation. He says these people did not go there to remain permanently, but they went there as railway navvies and speculators. The speculators and navvies have gone, and the 100,000 population, the difference between the census and the Minister's estimate, has disappeared. How came the hon. gentlemen on the Treasury benches to represent these as permanent settlers? How came the hon. gentlemen to lead this House to suppose that there was some justification for the expenditure that was being incurred?

How came these hon. gentlemen to mislead the country with regard to the actual condition of things? For they did mislead the country, and they sought to convey the impression that there was a large immigration going into that country for the purpose of settling it, and that the large expenditure being incurred was justified by the result.

Mr. WHITE (Cardwell). Does the hon gentleman mean to say that he believes that these were all settlers that went in there?

Mr. MILLS (Bothwell). I am calling attention to what the hon. gentleman said. I will answer his enquiry. I say that the Department of Agriculture reported them as settlers; the Government sought to convey the impression to the House and country that they were settlers; and they justified the large expenditure by the result of their policy, pointing to these figures as an evidence of the large number of permanent settlers that had gone into that country.

Mr. WHITE (Cardwell). Would the hon. gentleman answer my question?

Mr. MILLS (Bothwell). The hon. gentleman says there is a large immigration into the Territories of the United States because there are 50 or 60 millions of people to draw upon. But, Sir, that is not the fact. If I go to Texas, I find a large immigration there; if I go to Kansas I find a large immigration there; I find a large immigration in Dakota and Iowa—there is a large immigration all along the line. Now, I say that Canada, having a population of four millions and a half, ought to furnish to the North-West Territories at least as large a population, supplemented, as it is, by foreign immigration, as the United States furnish to the territory of Dakota alone. But it has not done that. Ten years, fifteen years ago, the population of Dakota and the North-West Territories and Manitoba were about equal. In 1870 the population of Manitoba was taken at 15,000, and the population of Dakota was about the same. To-day the population of Dakota is nearly four times as great as that of Manitoba and the North-West Territories taken together; and the Canadian settlers in Dakota are more numerous than they are in Manitoba and the North-West Territories taken together.

Mr. ROSS. How many Canadians are there in Manitoba and the North-West Territories?

Mr. MILLS (Bothwell). I do not remember the precise number at the moment. There is certainly not a very large number of foreign immigrants, although these statistics of the Department of Agriculture lead us to believe that a great majority of those who have gone there had been brought into the country by a large expenditure of money.

Mr. McNEILL. Would the hon. gentleman kindly tell us how many Canadians there are in Manitoba?

Mr. MILLS (Bothwell). The hon. gentleman can easily find that information for himself by five minutes' labor in the Library. The population of Dakota last year, I think, was something over 400,000.

Mr. McNEILL. The hon. gentleman said there were more Canadians in Dakota than in our North-West. He said he did not know how many there were in Manitoba, and now he tells us he does not know how many there are in Dakota.

Mr. MILLS. Neither do I, but I remember the result.

Mr. ROSS. There are 33,613 Canadians in Dakota, by the census of 1885. I think there were more Canadians than that in Manitoba and the North-West, and he will agree with me that there is a census.

Mr. MILLS. The hon. gentleman has given us the census of 1885.

Mr. ROSS. This is taken from a statement of the Governor of the territory of Dakota,

Mr. MILLS (Bothwell).

Mr. MILLS (Bothwell). The information I am giving was obtained from a gentleman who assisted in taking the census, and is connected with the Census Department of Dakota. The census I refer to was taken in 1886.

Mr. ROSS. There was no census in 1886.

Mr. MILLS (Bothwell). I know better. I say, moreover, that the census I mentioned were taken by a gentleman who left Manitoba, and who was employed there, and who gave the number of Canadians in his own district as 1,123 families out of 1,135.

Mr. ROSS. This was sent to me by the Governor of Dakota, not three months ago, as the census of Canadians in Dakota.

Mr. MILLS (Bothwell). Then, according to the hon. gentleman's own statement, there are over 35,000 in the territory of Dakota alone. Now, let me remind the committee of the fact that the hon. gentleman who has been Minister of Agriculture, who has made reports as such for several years, has represented the immigration into that country as upwards of 110,000. They have left that country. Where have they gone? Every one knows that the great majority of those who left that country, crossed the border and settled in Dakota.

Mr. McNEILL. No.

Mr. MILLS. I say they have.

Mr. McNEILL. I say they have not.

Mr. MILLS. Well, the hon. gentleman may be able to give the House information to show that they have not. They are, at all events, not found in this country.

Mr. McNEILL. That is not the fact, either.

Mr. MILLS (Bothwell). The hon. gentleman knows that, so far as this country is concerned, there was a smaller number of settlers of foreign birth in 1881 than there was in 1871 notwithstanding the extraordinary immigration that is reported by the Department of Agriculture. The census shows that, and yet the hon. Minister would now ask the committee to believe that those people did not go into the United States, but returned to the old Provinces. That is not the case. To revert to the original statement, to which I called the attention of the Minister, that it was high time the Government turned its attention to the causes of the failure of the policy which they have adopted and the necessity for a remedy, I have no question whatever that the policy for the settlement of the North-West has failed, and we should all turn our attention, after the expenditure of \$80,000,000 upon that country, to the adoption of a policy that would enable us to reimburse ourselves for the large sum we have invested there.

Mr. WHITE (Cardwell). I think I will meet the views of the hon. gentlemen from the North-West and Manitoba, all of whom, notwithstanding the remarks of hon. gentlemen opposite that they are too willing to agree with the views of the Government, have been most persistent in their efforts to have their views, not only in this matter, but in some other matters carried out—at all events I will, to some extent, meet their views by substituting 1887 for 1886 in line 12. I may say there is a class of persons in the North-West, crofters, who came under clause 28 of the old Dominion Lands Act of 1883, by which emigrants were permitted to create charges on their lands. Many of those people will have completed their homestead duties—and they make excellent settlers—but they will not have paid off their liens, as they have not yet been able to do so. Under this clause, as it appears, they will be prevented from obtaining all the advantage that an ordinary settler possesses who pays off his land at once. I propose to meet their case by adding after the word "certificate" the following:

Or any person who has been permitted by section 38 of Dominion Lands Act, 1883, to create a charge on his homestead and had completed his homestead duties on 2nd June, 1887, shall be permitted to make a homestead entry.

Other persons may create a lien the moment they get a patent; these people have created a lien before; and that is all the difference.

Mr. WATSON. I move that a clause be inserted to provide that the price for preemptions in Manitoba and in the North-West shall be reduced to \$1 per acre.

Mr. WHITE (Cardwell). I hope the hon. gentleman will not press this amendment. At all events it is no use taking a vote in committee, and if he wishes to divide the House, he can do so on the third reading.

Mr. WATSON. If it is not accepted by the Minister, it is no use pressing it.

Mr. WHITE (Cardwell). I will not accept it for a moment.

Mr. WATSON. I, therefore, do not press it.

Mr. WHITE (Cardwell). It will be remembered that last year we made provision for companies who desire to promote immigration into this country. They were permitted to make advances to settlers, upon those settlers' lands and upon their homesteads, under certain conditions. Under that law we required, however, that one-half of the money loaned should be devoted to the erection of a building upon the homestead. I find all those advancing money are very strongly opposed to this provision, and as the sense of the House, evidenced in the change already made as to habitable instead of substantial dwelling, would seem to indicate that \$300 is more than sufficient to be invested in a building or a homestead, I think the settler should have the advantage given in another direction. I propose to change the clause so as to read that one-half may be devoted for that purpose.

Mr. DAVIN. I beg to move that the following words in clause 6 of section 38 of the Dominion Lands Act be added as sub-clause b:—

In addition to these cases herein provided for by the said Act any person claiming a patent for homestead or for homestead and preemption who has completed three years of residence required by the Act on or before 1st July, 1886, shall be entitled thereto upon proving that he has erected on his homestead a habitable dwelling, and his family has *bona fide* resided thereon and cultivated the homestead for six months of the three years, as required by clause 38 of the said Act.

Mr. WHITE (Cardwell). I hope the hon. gentleman will not press this amendment. It simply means that a man entering for a homestead with a family has his homestead duties performed by his family, while he goes elsewhere seeking employment. It would be a very great misfortune to adopt this amendment, because the whole principle of our homesteading system is that the man shall become a farmer in the North-West. It would be giving an opportunity for men to take up land and send their families on it for the summer, and at the end of three years obtain a patent, when the whole family would return to town at the end of the time.

Mr. DAVIN. If it is not acceptable to the Minister, it is no use dividing the committee on it, and I will let it drop.

Mr. DALY. I desire to add the following clause:—

All assignments or transfers of a homestead or preemption right or agreement to assign or transfer any homestead or preemption right, or any part thereof, after patent obtained, and all conveyances, mortgages and charges heretofore made, entered into or given, for valuable consideration, before the issue of the patent, shall be valid, and shall be binding to all intents and purposes on the person making or giving the same, and their assigns in cases where the patents are issued to such persons or their assigns, after the making or giving the same; and the homestead or preemption right shall not be forfeited thereby, but this section shall not affect pending suits or actions.

In the Dominion Lands Act of 1879, by section 17, it was provided that all assignments and transfers of homesteads before the issue of the patents, except hereinafter mentioned, shall be null and void. The proviso in that clause read as follows:—

“Provided the person whose homestead may have been recommended for patent by local agent may assign or transfer his right or title, &c.”

So the committee will see that, according to that provision, the recommendation for patents was obtained from the local agent. In 1883 the Dominion Lands Act amending the Act of 1879 was passed, and it provided the form of recommendation for patent, and it also provided that as soon as an applicant obtained a recommendation for patent, signed by the Commissioner of Dominion Lands, he could sell and dispose of it just as he saw fit. Well, hon. gentlemen will understand that, owing to the fact of no form of recommendation being given in the Act of 1879, and owing to the fact of the recommendation for a patent coming from the local agents, a great deal of trouble has arisen in connection with the titles to Dominion lands. For instance, a number of men there gave land for school sites. They took an acre off their homesteads and conveyed it by an agreement for sale, or gave a bond for a deed to the school corporation, and it was registered against the land. Well, when the homesteader came to get his patent, or sought to get a loan upon his land, the solicitor for the mortgagees would find this bond or agreement in the abstract of title, and consequently it would form a cloud on the title, as having been an assignment or transfer made prior to the issue of the patent. All we ask is that an amendment be made applying it to all assignments or transfers or agreements made and entered into prior to the 25th of May, 1883, the date upon which the Act was assented to. I admit that since the Act of 1883, provided the farmer got a certificate of recommendation, and provided also the assignment was made before that date, any person making such an assignment would make it with his eyes open, and he should know that he made it strictly without the law. But I think that when such matters were so loosely done as they were prior to the Act of 1883, some remedial legislation is necessary. Mr. Justice Killam of our Province, in his judgment in the case of Rankin vs. Harris, has held that these assignments were null and void against the parties. In addition to that, a number of men who gave mortgages—the solicitors accepting them and registering them prior to the date of recommendation of patent—are repudiating them now, so that I think it is not too much to ask that a clause should be inserted whereby this state of things can be remedied. Hon. gentlemen will understand that I wish this only to apply to cases where patents have subsequently issued to such persons as made agreements, or to their assigns or any person to whom they have sold.

Mr. WHITE (Cardwell). I hope the hon. gentleman will not press this amendment. It means simply that a number of people lent money to settlers in the North-West contrary to the law, and before the settlers were entitled to effect such loans, and now they want these acts legalised. It has been decided that the liens were improperly imposed; whatever the settler did or knew, the men lending the money knew what the law was, and that the settler had no right to create a lien without a recommendation of patent having been issued. I think it would be dangerous if we should admit that persons, after violating the law, could come to Parliament and get Parliament to sanction their acts. I hope the amendment will not carry.

Amendment negatived.

Mr. SCARTE. There is another clause in the old Act, with regard to loans, which I would like the Minister to take into consideration. At present, persons advancing

money to immigrants coming out to the country cannot get a lien until the whole money is advanced. Then the details have to be gone through with, connected with making the advance, the examination of the parties, and so on; after that the borrower may be permitted to give the lien. Now, in the case of an immigrant coming out from the old country, the lender goes on and puts up a house for him, or buys him implements, or cattle, so that the advance sometimes takes six or seven months to complete. Occasionally parties abandon their homesteads, and these homesteads become the property of the parties who have made the advance, subject to certain conditions which are explained in the Dominion Lands Act. Under the present Act, it is impossible to get a lien until these advances have all been made; so that if a party makes an advance and any of those to whom he makes the advance abandon the land in the meantime, he has literally no security at all. I would like to see some such amendment as this: that, in the first place, an agreement can be made between the party lending and the party borrowing; that a lien can be taken for the amount that the lender agrees to lend; that after the whole advance has been made the Minister of the Interior may cause an examination to be made, and if he finds that no advance has been made at all he may cancel the lien; or if he finds that portions of it have been made he may cancel it to the extent of the amount which has not been advanced. I have not drawn the clause, but that would be the effect of it.

Mr. WHITE (Cardwell). I hope the hon. gentleman will be good enough not to press the amendment to-night. If he will draft the amendment and hand it to me, we will look at it and see whether anything can be done in the way he suggests. The general objection I have to it, at first sight—although we may be able to find a way of doing it—is this: that it is contrary to the principle of the law which prevents the settler from giving liens on property, the title of which still remains in the Crown. Now, this is a proposal that a company lending money may say to a settler, we undertake to give you, say \$600; we take a lien for the whole amount but we will dole the money out as you require it. Of course, the check will be that the land agent has to examine all those accounts afterwards, before the lien is completed. However, the matter can be looked into before the third reading, which will not take place till Tuesday, and we will see if we can find some way of meeting the hon. gentleman's views.

Bill reported with amendment.

SUPPLY.

House again resolved itself into Committee of Supply.

Additional public building, Wellington street,
Ottawa..... \$200,000

Sir RICHARD CARTWRIGHT. What is the total cost of the building?

Sir HECTOR LANGEVIN. The total cost, including the site, heating, furniture, &c., will be \$650,000.

Sir RICHARD CARTWRIGHT. It is a fine building, but that seems a very large sum. Have any material alterations been made in the contract since it was let?

Sir HECTOR LANGEVIN. No.

Sir RICHARD CARTWRIGHT. Is the same quality of stone to be used all through?

Sir HECTOR LANGEVIN. After a good deal of trouble, and after the contractor offered different samples, the chief architect accepted one sample, which is the stone now used.

Sir RICHARD CARTWRIGHT. Where is that particular stone obtained?

Mr. SCARTH.

Sir HECTOR LANGEVIN. It comes from New Brunswick—from Newcastle, I think.

Sir RICHARD CARTWRIGHT. Is it not very expensive to bring it up?

Sir HECTOR LANGEVIN. No; it was found that the stone could be got at a fair price, and the rates on the Intercolonial Railway and the Grand Trunk for bringing it up there are as low as they could be made.

Sir RICHARD CARTWRIGHT. Does the hon. gentleman mean to say that this stone has been obtained as cheaply as a stone of equal quality could be got, or of equal quality to that used in the other buildings?

Sir HECTOR LANGEVIN. Yes. I found that we could not get stone of equal quality and as pure and regular in the neighborhood, except at a long distance, and I was told that it would cost more than this. Of course the contractor himself, who asked for this stone, saw that it would be in his interest to take it in preference to any other, and, as it happened to be approved of by the chief architect, it was accepted.

Mr. WELDON. Is anything extra allowed him for the purpose of getting this stone?

Sir HECTOR LANGEVIN. No.

Mr. WELDON. When the contract was first let, I think the stone was furnished from a quarry in the county of Albert, just about the time the bye-election was held there.

Amount required for construction of Port Arthur
Harbor and for Kaministiquia River.....\$90,000

Mr. DAWSON. I would like to make a few remarks upon this vote, as I am familiar with the locality and can give some information regarding it. This grant is for dredging the river and improving the harbor at Port Arthur. The breakwater is producing an excellent harbor, and the work is going on admirably and well. The dredging is also going on very satisfactorily. No accident, such as an ice jam, has occurred for many years, and the river is constantly becoming better adapted for shipping purposes. I am happy to say that the rivalry between the two places has long been at an end, both striving together to make one excellent harbor, with street cars and railways connecting them. When the works in both places are completed, there will be an immense harbor there, and it will be more than all required, for the shipping of Lake Superior is destined to be very large indeed. I read a short extract the other night from a very imperfect return which I had found in a newspaper, showing the extent of the traffic of Lake Superior. I have since received all the way from Washington very exact returns of the shipping of Lake Superior passing through the Sault Ste. Marie Canal, of which the harbor of Port Arthur will of course get its share. This statement, which will be very valuable for reference, is as follows:—

“COMMERCE ON SAINT MARY'S FALLS CANAL, 1886.

“REPORTS OF LIEUTENANT-COLONEL B. M. POZ, CORPS OF ENGINEERS.

“UNITED STATES ENGINEER OFFICE,

“Detroit, Mich., December 29, 1886.

“SIR,—I beg leave to invite special attention to the report of this date upon the commerce of Saint Mary's Falls Canal, and to suggest the propriety of transmitting it to Congress, for use in connection with the question of an appropriation for continuing the enlargement of Saint Mary's Falls Canal, as all the information relating to the commercial statistics in possession of this office is therein tabulated in the most compact form.

“I am, Sir, very respectfully, your obedient servant,

“G. M. POE,

“Lt. Col. of Engineers, Vol. Brig. Gen., U. S. A.

“THE CHIEF OF ENGINEERS, U. S. A.

II.

" UNITED STATES ENGINEER OFFICE,
" Detroit, December 29, 1886.

" SIR,—I have the honor to submit the following report upon the commerce passing the Saint Mary's Falls Canal during the season of 1886, just closed. Statistics for the season are necessarily those of the calendar year.

" The canal was open to navigation 224 days, the first vessel having passed on the 25th of April and the last on the 4th of December, thus making the season 13 days longer than in 1885.

" On the 15th of July 87 vessels were passed through the locks, this being the greatest number in any one day in the history of the canal.

" The average number of vessels passing per day during the month of June was 40; during July, 41½; and during August, 40½ or for the three months a daily average of 40½ vessels. The daily average freight tonnage for the same period was 23,371 tons.

" The largest freight tonnage ever passed in one day was on the 28th of July, 1886, when 63 vessels, carrying 43,442 tons, were locked through.

" From the following comparative statement (table No 1) it will be seen that the registered tonnage passing the canal during the season

was 4,219,397 tons, and the freight tonnage 4,527,759 tons. The ratio of increase over the year 1885 was 39 per cent. in each case.

" The increase in freight tonnage over that of 1885 was 1,271,131 tons, of which 67 per cent. was in the single item of iron ore, although there was an increase in every item of freight except silver ore.

" The same table shows the approximate value of the freight. The same valuations are used as in the corresponding statement for 1885, which, for convenience of reference, is repeated. The aggregate for 1886 is \$69,090,071 95, being an increase of 29 per cent. over the aggregate value of 1885.

" For convenient reference Table No. 2 has been prepared, to show the business of the canal from the beginning, and constitutes a most interesting exhibit. The growth of the commerce of the Lake Superior region, and through it that of the great North-West, is very readily traced, not only in quantity, but in the items composing the aggregate.

" I am, sir, very respectfully, your obedient servant.

" O. M. POE,

" Lt. Col. of Engineers, Bvt. Brig. Gen., U.S.A.

" THE CHIEF OF ENGINEERS, U. S. A.

STATEMENT of the commerce through Saint Mary's Falls Canal for each calendar year from its opening in 1853.

Year.	Sailing vessels.	Steamers.	Unregistered craft.	Total passengers.	Total lockages.	Tonnage.		Passengers.	Coal.	Flour.	Wheat.	Grain, other than wheat.	Manufactured and pig iron.	Salt.	Copper.	Iron ore.	Lumber, M. ft., B. M.	Silver ore and bullion.	Building stone.	Date of opening.	Date of closing.
						Registered.	Actual freight.														
1855.	a	a	b	a	c	106,296	d	4,270	1,414	10,280							129			June 18	Nov. 23
1856.	a	a	b	a	c	101,458	d	4,674	3,988	17,688							587			May 4	Nov. 28
1857.	a	a	b	a	c	180,820	d	6,650	5,278	16,560							1,325			May 9	Nov. 30
1858.	a	a	b	a	c	218,819	d	9,230	4,118	18,782							2,597			Apr. 18	Nov. 20
1859.	a	a	b	a	c	352,642	d	.....	8,884	39,459							7,738			May 3	Nov. 28
1860.	a	a	b	a	c	403,657	d	.....	.....	50,250							133,437			May 11	Nov. 26
1861.	a	a	b	a	c	276,639	d	.....	8,816	11,507							76,830			May 3	Nov. 14
1862.	a	a	b	a	c	359,612	d	.....	8,468	11,346							69,062			Apr. 27	Nov. 27
1863.	a	a	b	a	c	507,434	d	.....	18,281	7,805							78,480			Apr. 28	Nov. 24
1864.	1,045	366	b	1,411	c	571,438	d	.....	16,985	11,282							143,560			May 2	Dec. 4
1865.	602	395	b	997	c	409,002	d	.....	19,777	.....							.....			May 1	Dec. 3
1866.	555	453	b	1,008	c	458,538	d	.....	14,067	19,915							229,926			May 5	Dec. 3
1867.	839	468	b	1,305	c	556,891	d	.....	15,120	22,92							249,081			May 4	Dec. 3
1868.	817	338	b	1,155	c	492,593	d	.....	10,590	25,815							245,123			May 2	Dec. 3
1869.	939	392	b	1,338	c	524,885	d	.....	17,657	27,857							323,501			May 4	Nov. 29
1870.	1,377	431	b	1,828	c	690,826	d	.....	17,153	15,951							49,700			Apr. 29	Dec. 1
1871.	1,064	573	b	1,637	c	752,101	d	.....	15,859	46,798							1,376,705			May 8	Nov. 29
1872.	1,212	792	b	2,004	c	914,735	d	.....	25,830	80,815							1,376,705			May 11	Nov. 28
1873.	1,549	968	b	2,517	c	1,204,446	d	.....	31,966	93,788							2,119,997			May 5	Nov. 18
1874.	833	901	b	1,734	c	1,070,857	d	.....	61,128	179,855							1,120,015			May 12	Dec. 2
1875.	569	1,464	b	2,033	c	1,259,534	d	.....	19,685	101,269							54,381			May 12	Dec. 2
1876.	684	1,733	b	2,417	c	1,541,676	d	.....	30,280	124,734							64,091			May 8	Nov. 26
1877.	1,401	1,050	b	2,451	c	1,439,216	d	.....	21,800	91,575							89,971			May 2	Nov. 30
1878.	1,091	1,476	b	2,567	c	1,667,126	d	.....	24,394	91,855							148,822			Apr. 8	Dec. 3
1879.	1,403	1,618	b	3,021	c	1,677,071	d	.....	18,979	110,704							39,218			May 2	Dec. 3
1880.	1,718	1,35	b	3,068	c	1,734,890	d	.....	25,766	170,571							64,791			Apr. 28	Nov. 15
1881.	1,706	2,117	b	3,823	c	2,092,757	d	.....	1,567,741	24,671							65,897			May 7	Dec. 5
1882.	1,663	2,739	b	4,402	c	2,468,088	d	.....	2,029,521	29,256							77,916			Apr. 21	Dec. 3
1883.	1,458	2,62	b	4,078	c	2,042,259	d	.....	2,207,105	39,130							176,619			May 2	Dec. 11
1884.	1,709	3,609	b	5,318	c	2,997,837	d	.....	2,874,577	54,214							249,081			Apr. 23	Dec. 10
1885.	1,689	3,354	b	5,043	c	3,035,937	d	.....	3,256,628	86,147							60,842			May 6	Dec. 2
1886.	2,534	4,584	b	7,118	c	4,219,397	d	.....	4,527,759	27,088							175,373			Apr. 25	Dec. 4

a No record kept until 1864.

b No record kept until 1879.

c No record kept until U. S. assumed control of canal in 1881.

d No record was kept until the United States assumed control of the canal in June, 1881.

e None shipped from Lake Superior until 1870.

f None shipped from Lake Superior until 1867.

An immense increase has occurred in the shipping of Lake Superior in the last few years, until it now amounts to 4,500,000 tons yearly; Port Arthur itself showed half a million tons in one year; and considering these facts, I think breakwaters and canals should be the order of the day up there. If the North-West is to come anything near our expectations, the harbor of Port Arthur will require to be one of great capacity to accommodate all the fleets of Lake Superior.

Mr. LISTER. While considering the item, it may be proper for me to call the attention of the Minister of Public Works to the fact that a petition has been sent from Point Edward, on the River St. Clair, asking the Government to take steps to remove the sand bar in the river. I would suggest that the work be done immediately, as Point Edward is a very important point, being a terminus of the Grand Trunk, and for the crossing of a large number of boats trading between Chicago and the Point. It is a matter of the greatest importance to the shipping interests

of the upper lakes that the work should be done immediately. Last fall, the attention of the hon. the Minister was directed to this, but the natural obstacles were such that the work could not be then undertaken. All that is required is the service of a dredge for a few days, and as the sand bar is getting worse from week to week. I hope the hon. Minister will take steps to have it removed without delay.

Mr. CAMPBELL (Kent). After the dredge has removed the sand bar at Point River, it could go on to the mouth of the River Thames and remove the sand bar there also. Deputations waited on the Government, some time ago, to have that removed, and I believe the Minister of Public Works gave the matter some attention. I assure him it is very necessary this work should be done, and while it will cost but a few days work with the dredge to remove that sand bar, its removal will be of great benefit to that part of the country.

Mr. MILLS (Bothwell). I observe the hon. gentleman is asking for this appropriation of \$90,000. It is in part to

be applied for the improvement of Port Arthur harbor and in part for the improvement of the Kaministiquia River. I may congratulate hon. gentlemen opposite on the extraordinary revolution their views have undergone with regard to this river. Not many years ago, hours were spent in the discussion for the purpose of showing how useless was the river for all purposes of convenience in navigation. The hon. member for East York (Mr. Mackenzie), who was then First Minister and Minister of Public Works, was charged with acts of folly, and, in the other Chamber, a committee was appointed to enquire into his conduct with reference to making Port William, rather than Port Arthur, the terminus of the line of the Canadian Pacific Railway. When hon. gentlemen opposite came into office, they adopted the extraordinary course of advertising for tenders for the construction of a lighthouse at Port Arthur; but they went further in the advertisement, they asked for tenders for the demolition of the lighthouse and the range light at the mouth of the Kaministiquia. So satisfied were they that the policy of the hon. member for East York was wrong, that, not content with taking steps to construct the lighthouse at Port Arthur they insisted on destroying the range light and the lighthouse at the mouth of the Kaministiquia. Hon. gentlemen opposite were then remonstrated with by the municipal council of Port William, which offered, if the Government would retain the range light and the lighthouse at the mouth of the Kaministiquia, to keep up the light there at their own expense, and they did so for some years after the hon. gentlemen opposite came into office. When the Canadian Pacific Railway contract was entered into, and the construction of the road begun, and its management was directed with the view of obtaining public business, the Canadian Pacific Railway entertained somewhat different views from those entertained by the Government, and pointed out this river as a place for shipping. The views of the Government then underwent a revolution; they undertook to improve the entrance at the mouth of the river, and once more assumed control of the range light and lighthouse. The right hon. gentleman gave out, at that time, to the country, that my hon. friend had committed an act of incredible folly in the purchase of the Neebing hotel for the use of public officers at that point, and photographs, and wood engravings, and lithographs of this building were made to do duty in the elections of 1873. I believe the First Minister has visited that point and seen the building, and I suppose he has come to the conclusion that my hon. friend from East York made a good bargain when he purchased it. In all these matters, time has shown that my hon. friend from East York was right in his conclusions and the hon. gentleman wrong, and that the views entertained by the hon. member for East York have since been adopted by the Canadian Pacific Railway, and forced on the Government by that corporation. In this, we have a further vindication of the course pursued by the hon. member for East York, in the appropriation asked for by this vote. The hon. gentleman asks for \$90,000, a part of which is to go towards the further improvement of the entrance to the river. Perhaps the hon. gentleman will be able to tell us how this sum is to be divided—how much is to be expended on the Kaministiquia River and how much at Port Arthur.

Sir HECTOR LANGEVIN. About \$30,000 will go to the Kaministiquia, and we expect that will complete. The depth of water will be eighteen feet in the centre.

Mr. MILLS. Is the whole sum to be expended in deepening the entrance?

Sir HECTOR LANGEVIN. Not only the entrance, but further up as well.

Mr. MILLS. The dredging to be done is clay cutting.

Mr. MILLS (Bothwell.)

Sir HECTOR LANGEVIN. The silt is not large, and the bottom is good; it is clay.

Mr. DAWSON. The hon. member for Bothwell (Mr. Mills) seems to take a great deal of delight in raking up these old sores about the Kaministiquia.

Mr. MILLS (Bothwell). There are no sores on our side.

Mr. DAWSON. But it is not exactly correct as to fact. When the lights were abandoned on the Kaministiquia, there had been a terrible flood. There was one of those periodic floods which came and silted up the river, so that the lights were of no use except to vessels of very light draught. They were not removed, but were simply left to the people to take charge of, and I think the people of that municipality have a good claim to be paid for the time they did take charge of them, because I do not think it was a very liberal thing to give them up. The hon. gentleman has dwelt on the beauties of the Neebing hotel. It is certainly a beautiful place, high up upon the Kaministiquia, but allow me to tell the hon. gentleman, that those people to whom he has referred, who are now establishing themselves on the Kaministiquia, are not up at the Neebing hotel, but at the mouth of the river, which they consider the best place for building up a town. It is there that the Canadian Pacific Railway have built their elevators; it is there that merchants are going in and putting up stores, and it is there that you see every evidence of a thriving and growing place. The people are now forming a combination to run the street cars into the town of Port Arthur, and they expect to make one town and harbor of the two places. It is very kind of the hon. gentleman to refer to these early stories in reference to these places, and I am sure the people up there will be glad to read his remarks and will be all very much inclined to laugh at them.

Cape Tormentine Harbor, N.B. \$100,000

Sir HECTOR LANGEVIN. That is a revote.

Mr. WELDON (St. John). What has been done there?

Sir HECTOR LANGEVIN. The work is under contract, and the contractors have proceeded slowly, but they have still a year under their contract to complete the work. Therefore I was not in a position to take it out of their hands. I hope they will be able to complete their contract, though they have gone on slowly.

Mr. DAVIES. Will this vote complete their contract?

Sir HECTOR LANGEVIN. Not quite. We will require about \$30,000 more, perhaps \$40,000 more. The contractors are Messrs. Strachan & Perkins.

Public Buildings, N. S. \$19,700

Mr. JONES. What was the contract for the Yarmouth post office?

Sir HECTOR LANGEVIN. The amount of the contract is \$17,228.

Mr. JONES. Were there any estimates?

Sir HECTOR LANGEVIN. Yes. Then there are the furniture and fittings and the heating and the footpaths, and fencing, the gas and fixtures, these amount to \$7,393.

Mr. JONES. What were the extras for the contractor?

Sir HECTOR LANGEVIN. I hope there will be none. I try to reduce that as much as possible.

Mr. BORDEN. Has the Minister decided upon the site for the Kentville post office and public building? It is not included in this vote, but it is one of last year's votes.

Sir HECTOR LANGEVIN. The site has not been purchased.

Mr. BORDEN. Would the Minister kindly inform me what progress has been made, what was the nature of the report? He sent an officer there, and I would like to know why the site has not been purchased, and what progress has been made?

Sir HECTOR LANGEVIN. In regard to these sites, we try to find what will suit the place and the purposes of the Government as to a central place and so on. Sometimes we cannot find a proper place available, or the price is too large, or there are two or three sites in the market, and we try to make the best bargain possible for the interests of the Government. I have no doubt that in this case we have not been able to come to a conclusion. There are several places where we have had negotiations for over a year. This is one of those cases.

Mr. BORDEN. I would ask further what sort of building it is proposed to construct there. What was the estimate?

Sir HECTOR LANGEVIN. I cannot state that now, but it is a building in accordance with the population of the place and the business. If it is a large place, with a large business, it requires a large accommodation and we must expend more money. If it is a city like Toronto, Montreal or Halifax, we must have a larger building, and, if it is a small place, we must limit ourselves.

Mr. BORDEN. It is not quite as large as Toronto, but it is an important place. There are three offices there now, the post office, the savings bank and the customs. I suppose it would be intended to provide for those three in the same building?

Sir HECTOR LANGEVIN. Yes, the intention was to put all the offices together.

Mr. EISENHAUER. I see that there is no provision made for the public building at Lunenburg, for which a vote was taken last year. Early in the Session, I asked the Minister of Public Works whether it was intended to make any provision this Session, and the answer was that it was under consideration. That is two months ago. I ask now whether it has been considered, and whether it is the intention of the Government to make provision for the building in the Supplementary Estimates?

Sir HECTOR LANGEVIN. I am not in a position to answer that now. When the Supplementary Estimates come down the hon. gentleman will see what the action of Council is, but it is not customary to announce that before we bring down the Estimates. As a rule, unless we see our way clear to have a site, we do not ask more money until the site is purchased. If I saw that, in this case, the site could be purchased in a very short time, I would recommend to my colleagues a different course as to the money required to proceed with the work.

Mr. EISENHAUER. I understood that the site was purchased.

Sir HECTOR LANGEVIN. Well, perhaps so.

Mr. EISENHAUER. I would like the Minister to explain why the Government thought it important enough to admit that a public building was necessary at the town of Lunenburg last year and voted \$4,000, and make no appropriation for it this year?

Sir HECTOR LANGEVIN. I do not know whether there will be any in the Supplementary Estimates.

Mr. KIRK. Was this \$4,000 expended?

Sir HECTOR LANGEVIN. I have a note here that the site was purchased, but no further action was authorised. I do not know whether the title was obtained. When we make arrangements with a party to obtain a lot, and the

amount is stated, we refer the whole matter to the Minister of Justice, who employs some one to look after the title. When the title is declared to be good, then a check is issued in favor of the Minister of Justice to pay the amount. In this case I am not in a position to say whether that was done.

Mr. JONES. Perhaps the Minister of Public Works is carrying out the policy announced by the Minister of Marine the other day, when he informed the House that, on the recommendation of a gentleman entirely unconnected with the county, a certain public work was to be commenced in Shelburne county; and as I notice that a gentleman recently made his appearance here, who formerly represented Lunenburg in this House, perhaps he has been sent for to give the hon. gentleman some information on the subject which my hon. friend has brought to his attention to-night, but the hon. gentleman knows that Lunenburg is a very important place, much larger and more important than many other places, not only in Nova Scotia but in other parts of the Dominion, where public works have been constructed, and I think the Government would discharge their responsibility to the public if they would not allow a matter of that kind to interfere with the interests of the public in a matter of so much importance.

Sir CHARLES TUPPER. Do I understand the hon. member for Halifax (Mr. Jones) to say there would be any impropriety in the Government consulting or accepting the advice of a gentleman who represented the county of Lunenburg in this House with great ability, whose zeal in the interests of that county could not be surpassed by any person? I would like to ask the hon. gentleman whether, when the Government of which he was a member was in power, they accepted the advice of gentlemen who were opposed to them in this House. The hon. gentleman knows that that was not the case. He knows that they consulted those in whom they had confidence, those in whose advice they could repose confidence, because they were supporters of the Government. The hon. gentleman, therefore, must not sneer at the presence here of the gentleman who so long and so ably represented the county of Lunenburg in this House. All I can say is, if the hon. gentleman who now has the honor of representing that county in this House, is half as zealous, and takes half as much interest in the progress of that county, as Mr. Kaulbach took when in this House, it will be greatly to the advantage of the county, and the county will have nothing to complain of on the part of the hon. gentleman.

Mr. JONES. The hon. gentleman is anxious to know whether the Government of which I was a member sought information and advice from our political opponents. We certainly did not, as the hon. gentleman very well knows. But, at the same time, I think he will search in vain the annals of Parliament, and the *Hansard* reports of what took place in this House, to find any such announcement ever made by a Minister of the Crown in this House, that, on the recommendation of a person who had contested a county and been defeated, they were going to make an appropriation for a public work in the county which he could not represent. I instanced the improper, the highly improper, answer which the Minister of Marine gave to an enquiry the other night, made by my hon. friend from Shelburne (Mr. Robertson), about a lighthouse in that county, and I said I supposed it was going to be taken as a precedent by the gentleman who, it was freely understood about the corridors of this House, had telegraphed for the late representative of Lunenburg to come here to negotiate, and to get the credit of certain negotiations which the Government felt themselves bound to make under their promise last year, in regard to certain railway subsidies in that county; so that the hon. gentleman who represents that county in this House might not have

the credit of having obtained that subsidy during the time he represented that county. Now, while I freely admit that the Government have a perfect right to consult who they like in their own interest. I do claim that the answer given by the Minister of Marine was a highly improper one, which I hope never to hear repeated in this House.

Sir CHARLES TUPPER. I can only say that the hon. gentleman is entirely mistaken. If he had sat longer in this House, he would have learned that Ministers have been accustomed, again and again, to state the grounds on which they had been led to make an appropriation. They have stated that they received a petition from the county, and they have stated the numbers to that petition, again and again. I say there is no statement that they could make, more proper or more appropriate than that they had done it on the advice of a gentleman who had taken a great interest in the matter, and had brought the subject before the Government, and pressed it upon their notice earnestly, as being greatly in the interest of the county—a gentleman who had gone down from the city of Halifax to contest the county and had polled all but a majority against a gentleman who had long sat in this House, and had long represented this county? And does the hon. gentleman say that he had no right to offer advice, to say that, having had the great honor of being invited to be a candidate in the county, and having polled all but a majority of the county in which he was almost an entire stranger? Why it is absurd to say that a gentleman in that position has not a perfect right to advocate the interests of the people of that county in procuring a work which is desired by them, and is, in his judgment, in the interest of the county. I say he would be failing in his duty, and he would be ungrateful for the support he has received, if he did not use that position, and use the influence he had acquired as a friend of the Government, impressing, in the strongest way he could, the claims of the county. I say it has been constantly done in this House by gentlemen upon both sides when in power—

Mr. JONES. Never.

Sir CHARLES TUPPER—to state the grounds on which they had made an appropriation, and state from whom they had obtained advice.

Mr. JONES. If the hon. gentleman says that it has been customary to regard petitions emanating from people in certain counties, relating to public matters, that would be a perfectly correct proceeding. But in this case they have no such plea; and they are accepting the advice of a gentleman who failed to obtain a majority of the votes of that county, who is not a representative of that county; and, as I said before, the hon. gentleman will search in vain the records of this House to find an answer ever given to an hon. member such as that given by the Minister of Marine the other night.

Mr. LISTER. The Minister of Finance, with his usual positiveness, has made assertions that he is unable to prove. As the hon. gentleman from Halifax (Mr. Jones) has said, the answer the Minister of Marine gave here the other night is without precedent in the records of Parliament. He may smile, but I tell him that it was just such an answer as I would have expected him to give. People have a perfect right to petition the Government of the day for any improvement that might be necessary in their counties, but when you come to consider the facts of this case, I say they are simply disgraceful. Major General Laurie was taken down into the county for the purpose of contesting the seat. He was sent down there by the Government; he had never been in the county before; he knows no person in that county. He went down there at the instance of the Minister of Finance, who left his duties in England and came over to this country for the purpose of carrying Nova

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Scotia in the way that he knows how it was done. Now, Sir, Major General Laurie was sent down there, and he was a stranger in that county. He knows nothing whatever about this lighthouse; he never was on the spot, he never saw it. A gentleman who has had the honor to represent that constituency in this House for four or five years, and has done so creditably, asked for the construction of a lighthouse on that point. After the elections were over, the man sent down there to contest that constituency by the Government, with the money of the Government, is sent for to come up here. The Government knows that the present sitting member (Mr. Robertson) has been petitioned against. They know that the result of the answer made by the Minister will have an effect upon the electors of that county in case another election is brought on; they know it will assist favorably Major General Laurie, and the Minister of Marine rises in this House and makes a statement such as has never been made here before. I can excuse him, as he is young and green in the business, as he has only been in office three or four years.

Mr. FOSTER. What was the statement?

Mr. LISTER. You know what the statement was perfectly well. In seeking to assist Major General Laurie, whoever he may be, he was brought up to Ottawa, he was wined and dined by the Minister of Finance and other hon. gentlemen, and he goes back to the county to tell the people of the county that he has done so much for them in Ottawa, when in fact he has done nothing at all. The answer was a disgraceful one, and the motive and object for which it was made are perfectly obvious to every person, and if another election shall place it will fail in securing the object which the Minister of Finance and the other Minister had when they made that answer. Mr. Robertson, the member for Shelburne, has represented that constituency with remarkable ability in this House for eight or nine years, and the Minister of Finance by rising and ignoring the sitting member, the gentleman returned by a majority of the electors and the member who put the question, insulted him, he insulted the constituency and it was anything but creditable to the Minister who made that answer.

Mr. FOSTER. I do not rise to enter into any kind of wordy contest with my hon. friend opposite, who is generally good natured. I think, however, it would be well to have stated the whole truth, a thing which I know it is sometimes quite difficult to do.

Mr. LISTER. For whom to do? For me to do? I ask the Minister: does he say I do not tell the truth? Because I will put the question to him outside, if he makes that statement.

Mr. McMULLEN. He dare not say it outside.

Mr. LISTER. I will not permit any one here or elsewhere to make that statement.

Mr. FOSTER. I was proceeding to say that it would be quite as well to state the whole truth. I am quite willing to take any responsibility that attaches to me for the answer I made. The senior member for Halifax (Mr. Jones) and the hon. member who has just sat down, would lead the House to believe that I stated that a light would be given on the recommendation of Major General Laurie. I did not state that. I stated more, and it would be only common honesty to give my whole statement and not part of it. I said the matter was drawn to my attention and recommended by Major General Laurie, and I stated that it had been recommended by my officers who have the examination of those matters, and it was upon those recommendations that I decided to put the light there.

Mr. MILLS. I do not subscribe at all to the doctrine laid down by the Minister of Finance. He would under-

take to ignore the representative of the county whenever that representative happens to be a member opposed to the Administration. The hon. gentleman seems to go upon the assumption that the public money is, for the time being, under the control of the Government and is the private property of the Government, and is to form so much patronage placed at their disposal. I contest that position altogether. I maintain that the Government are trustees, not merely for those of their own way of thinking, but for the whole people of the country, and that the only proper exponent of the views of the people in any constituency is the member whom the majority of the electors have returned to Parliament as the exponent of their views. The hon. gentleman has laid down the doctrine that the Government must consult their own friends, that they have confidence only in the judgment of their own friends. The hon. gentleman assumes that no member on this side of the House can form an accurate view of the propriety of any improvement within the constituency he represents, and, therefore, his judgment is not to be relied upon. Yet the hon. gentleman has told my hon. friend that if he was half as attentive to his constituents as was the hon. gentleman who preceded him as the representative of that constituency, it would be well for the constituency. Why, what would be the advantage to the constituency for the hon. gentleman to be attentive or assiduous, if the doctrine laid down by the hon. gentleman is to prevail? What would be the advantage of my hon. friend going to the Minister of Finance and making a recommendation with respect to any public improvement within his constituency, if the Government have not the slightest confidence in any opinion he may express? How is he to prevail with the Minister? For what purpose is he to go and consult the Minister, or advise the Minister with respect to any expenditure with respect to his constituency? I reject the doctrine altogether. It is right for the Government to control the patronage of the country with regard to official appointments. They will appoint, and we will expect them to appoint, public officers when positions become vacant, but with those appointments their patronage ceases. They have no right to undertake to make expenditure in a constituency merely for the purpose of promoting their party interests. It is their business to consult the public good, and I am as much entitled, and my hon. friend is as much entitled to the expenditure of public money, from revenues which our constituents contribute to make up, as much as hon. gentlemen who support the Administration. It is the duty of the Government, it is a duty required of them by their oath of office, to make those public expenditures where the public needs require, regardless of the political complexion of the constituency; and the hon. gentleman when he comes here and lays down the doctrine that because a constituency returns a member in opposition to the Government, that member is not to be heard, that his opinion is to have no weight upon any question affecting the interests of his constituency, he lays down a doctrine for which he can find no support in the constitutional history of the Mother Country.

Mr. BOWELL. Did you act on that principle when you were on this side of the House?

Mr. MILLS. We acted on no other. The hon. gentleman may laugh. Where did the present Government build their post offices and public buildings? Was it in constituencies represented by members supporting the Administration? Did we not lay down the principle that public buildings must be erected in the cities and towns with the largest population, and from which the Government obtained the largest revenue? And did we not loyally adhere to that principle, no matter who represented the constituency in which those buildings were to be erected? The hon. gentleman knows that is the case.

Mr. BOWELL. Give an illustration. I know it is not the case.

Some hon. MEMBERS. No.

Mr. MILLS. That was the rule we acted on. What is the rule on which hon. gentlemen opposite act? There is not a town or village, there is not a place where the revenue of the post office would not pay interest on one-tenth of the cost of the building, where a building will not be erected if the constituency is represented by an hon. member supporting the Government, and, if it will serve to strengthen the cause of the Government in that constituency. That has been done. That has been pointed out again and again, and the Minister of Public Works has read to-night a case where an appropriation has been made of \$4,000. But so soon as the constituency elected a member opposed to the Administration, the appropriation was dropped and the public work was abandoned. That is the rule upon which hon. gentlemen go, and that is the rule which the Minister of Finance has stood up here to-night and advocated, when he attacked the position taken by my hon. friend the senior member for Halifax (Mr. Jones.)

Mr. EISENHAUR. The hon. the Minister of Finance says that the late member for Lunenburg represented that constituency so well that, if I represent it half as well, I will represent it very well indeed. Let me tell the hon. gentleman that the county of Lunenburg thought differently. The people of that county thought that Mr. Kaulbach did not represent the county well, and, therefore, they did not send him here at the last election. They saw that while every county to the east and west, to the north and south of it was getting grants from the Government, while large subsidies were given to railways in other parts of the country, the county of Lunenburg got a mere pittance of \$4,000. Was Mr. Kaulbach representing the county well? I leave the hon. gentleman to answer. I tell the Government more, that they may refuse to give grants for public buildings in that county, or to vote subsidies for railways, there are matters of much greater importance to our people upon which an election would turn, viz.: the great extravagance of the present Government, their ruinous National Policy, the dissatisfaction existing in the country with the present restricted trade relations, which is hampering our trade with the United States, especially our trade in fish in their markets. These are the issues which would decide an election there at present. And so long as the Government adhere to their present trade policy, and the other questions to which I have referred, I think the county of Lunenburg will continue to send somebody else to represent them, with different views from the late member for the county.

Mr. JONES. I find, on referring to the debate here, that Mr. Gillmor asked the following question for Mr. Robertson:—

"Is it the intention of the Department of Marine to provide in the Estimates this Session for the erection of a harbor light at West Head, Cape Sable Island, Shelburne County, Nova Scotia?"

To which the Minister of Marine and Fisheries made the following reply:—

"A light has been asked for this place, and earnestly pressed by Major Laurie, and upon the favorable report of my officers I have decided to proceed with its construction this year."

Some hon. MEMBERS. Hear, hear.

Mr. BOWELL. Those are the exact words he used.

Mr. JONES. Mr. Laurie knew about as much about the place as I know about the Kaminstiquia River, which was spoken about this evening, and I know nothing about it. He knew nothing about the matter.

Mr. FOSTER. It was not necessary that he should.

Mr. JONES. How could he earnestly press it upon the Government, if he knew nothing about it? How could the

hon. gentleman receive such a demand from a gentleman who knew nothing about it? The hon. gentleman says he is not required to know anything about it. Had he no reason for his opinion? Did he have a person to press upon his Department the erection of a lighthouse at a certain spot which he had never visited, and knew nothing about. Why, Sir, it is unworthy of the hon. gentleman to make such a reply. My hon. friend here has referred to this matter with respect to the patronage of the Department. Why, if you look through the administration of the hon. member for East York (Mr. Mackenzie), wherever a public work was required in the interest of the country at large, during that time, it was placed there. Look at the expenses which took place in the county of the Minister of Finance, during that time. Look at the expenses which took place in Colchester.

Mr. MILLS (Bothwell). And in Hastings.

Mr. BOWELL. What took place in Hastings?

Mr. MILLS. A post office.

An hon. MEMBER. What was done in Colchester?

Mr. JONES. A large expenditure of money went on there, from time to time, and the hon. gentleman knows well enough that during the time that he was violently opposing the Minister of Public Works of that day, the Minister was doing everything he could to perfect the system in the county of which the hon. gentleman was not then the representative, but which had a representative in the Parliament opposing the policy of my hon. friend. During the whole administration of that Government they dealt with these matters in the public interest, and not at all with reference to other matters which came up for their consideration. It was done entirely in the public interest, apart from those who represented the particular constituencies.

Mr. BOWELL. I do not know that this is a very profitable discussion; but those who have sat in the House for the last fifteen or twenty years, and particularly during the time the hon. member for Bothwell (Mr. Mills) was Minister of the Interior, could hardly help smiling, could hardly help being, not only amused, but somewhat astonished, to hear the doctrines which he laid down as having been the principles which guided him and his party when they were in power. A few moments ago, when I asked a question as to what the late Minister of Public Works had spent in Hastings, that hon. gentleman had the coolness to say: "A post office." Not a dollar was spent by that Government; the land was bought since the present Government has been in power. The building was erected by the present Government, and the only lighthouse we have in the Bay of Quinté, west of the Narrows, to enable navigators to navigate safely, was put there by the present Government. And still the hon. gentleman has the coolness, in almost every speech he makes, to tell us, presuming that I had forgotten the circumstance, or knew nothing about it, that they erected a public building in Belleville. When I sat on that side of the House a post office became vacant in the gold regions in my county—El Dorado, as it is called—and not a Grit could be found in the neighborhood to fill the office. The Postmaster General kept the appointment back for six, seven or eight months—yes, for nearly a year—for I repeatedly called attention to the matter, when I sat in the place which is occupied at this moment by the hon. member for Essex (Mr. Brien). I asked him: Why have you not filled that office? Could you not get one of your party to take it, while you filled another office, five miles away, on my suggesting the name of a gentleman to whom, I said, he could have no objection, because he was a good Scotch Grit. But I could not get a part of the country served where it was thickly settled, because they could not get one of their own party to fill the

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office. The principle laid down by the hon. member for Bothwell (Mr. Mills) is one so ridiculously absurd that every member of this House must have smiled when the hon. member was proclaiming it. We know that when they were in power every suggestion made by a member of the Conservative party, who were then in opposition, had no more effect than if we had whistled against the wind.

Mr. GILLMOR. Was it right?

Mr. BOWELL. My honest friend from Charlotte, N.B., (Mr. Gillmor) asks me if it was right. If it were right then it is right now. I did not know that you should govern on different principles when you are in power from those on which you ask your opponents to govern the country when they are in power. If you were right, surely, if we follow in your footsteps, we must be right too. Everything in the whole system of government, in connection with patronage, is carried on upon this principle: You consult your friends when anything is to be done in a constituency, and it is the merest hypocrisy to preach or lay down any other doctrine, as being practiced by any political party in this country. I do not know how it may be in the other Provinces, but in my own Province, so far as the patronage of the Local Government is concerned, in the different ridings under the present administration in Ontario, that Government would think no more of applying to the member who represents it in the Local Legislature, if he does not happen to be a supporter of the Government, than they would think of applying to the hon. member for Bothwell (Mr. Mills) himself, or half as much. When the smallest two-penny-half-penny office is to be filled, in such a constituency, they apply to the gentleman who contested the election against the successful candidate, and that gentleman has the patronage of the riding.

Mr. LISTER. Hear, hear.

Mr. BOWELL. Let my hon. and pugnacious friend from Lambton keep quiet. He comes from my own county, and he has the characteristics of those who come from that county, but he got spoiled when he went to Lambton. If he had remained in Hastings, and his education had been a little different, he would have been in the place that is natural to him, and not where he is. The principle always laid down by hon. gentlemen opposite is the one that was applied in the case of my own election. A candidate was put forward against me, not with any expectation of carrying the riding, but they said: There is no doubt Sir John's Government is going out of power, and Dr. Sutton—who was my opponent, a very respectable man—will have the patronage of the riding. True, Bowell may be elected, but if Blake comes in, if we have anything to get, we will get it through Dr. Sutton. That is the principle upon which you all act.

Some hon. MEMBERS. No, no.

Mr. BOWELL. We do not desire to hide it. The hon. gentleman says no. I was going to say that I was rather surprised, but I am not. But the hon. gentleman knows as well as I do, and as every member in this House does that all party governments are carried on on that principle.

Mr. MILLS (Bothwell). No.

Mr. BOWELL. When I asked the hon. gentleman to point out where the expenditure of money had taken place in constituencies represented by Conservatives, he failed to do so. He certainly did say Hastings, and instanced the post office. Well, the hon. gentleman who represents East Hastings (Mr. Burdett) will, perhaps, tell him that during the time Mr. Mackenzie was in power he did not lay a brick or a stone to erect any public building there. The hon. member for West Lambton (Mr. Lister), speaking of General Laurie, said he was sent to that constituency with the money of

the Government. Immediately before that he stated that my hon. friend had made a statement which he could not prove. Now, I should like the hon. gentleman, and I say it in all sincerity, to sustain and substantiate, if he can, the charge he has made. It is very easy to rise and assert that the Government has misappropriated the public funds, because that is what it means; and when the hon. member for Lambton stated that the Government had appropriated the money of the country to send General Laurie to that constituency or anywhere else, except in the performance of his official military duties, he stated that which I venture to say, he is unable to sustain; and it would be just as well, when hon. gentlemen accuse others of making statements which they are unable to prove, that they should be able to prove charges of that kind which they hurl across the House against the Government. I know it is part of their policy to make broad statements and charges such as this, but I ask if it is fair. If the hon. gentleman has any evidence to show that the public funds of the country have been misappropriated in that way, let him produce the evidence, and let the Government take the responsibility and be condemned.

Mr. LISTER. The hon. gentleman has thought proper to say that if I had remained in the county of Hastings, I would have been on that side of the House. The county of Hastings is a very good place to be born in, but it is well to leave there early in life, and I did that when I was five years old, and I have no reason to regret either that I did that or that I am now on this side of the House. I say that notwithstanding all the patronage and all the sunshine that they boast of, I would not be on that side of the House supporting the Ministry to day. So far as the patronage is concerned, that is one thing; the expenditures of public money is another thing. Every Government give their offices to their own political friends, and I do not blame this Government for doing that. The hon. gentleman has talked about the Provincial Government appointing their friends to every small office. That is what they ought to do, and that is what they do.

Mr. BOWELL. What I said was that they consulted their political friends as to appointments in the constituency. I did not find any fault with them for that.

Mr. LISTER. There is no wrong in that. They fill their political offices with their friends, and you do the same. But so far as the public money of this country is concerned, that belongs to the whole people of this country, and the Government are simply trustees of that money—not to use it in buying up constituencies and political support, but to expend it as trustees ought to expend it, wholly in the public interest, and wherever public money ought to be expended. But has that been done by this Administration? Can anybody say that that has been the course they have pursued since they have been in power? I say emphatically no. The public records show that the Government have persistently pursued the policy of spending the public money where it would do them most good in procuring political support. We have only to turn over the blue-books of the Department of Public Works, to find that in the little town of Sussex, which has only 500 or 600 inhabitants, no less than \$235,000 has been expended in public buildings; and the hon. Minister of Marine and Fisheries, in addressing a public meeting there, said that if he was returned to power, he would have a ball put in those public buildings. Now, let us see how fairly the public money is expended. I represent a town having a population of 7,000 in a county having a population of 60,000, a place where a daily mail is distributed north, south, east and west, and that contributes annually to the public revenues of this country. It has an inland revenue office, a custom house, a weights and measures office and every other office which the Dominion Govern-

ment has in places of importance. Yet we never hear a word of the Government erecting public buildings in that town. In the constituency adjoining mine, represented by Mr. Moncrieff, in a place of 4,000 or 5,000 inhabitants, and a place of some importance, the Government put up a building. Perhaps they were justified in doing so; I do not know; but, certainly, if it is necessary to put one there, the necessity is much greater in the town I come from. This is why members are led to expect that unless they support the Government in its good measures and bad measures, unless they stand behind them in everything they do, and become strict party men, they can expect nothing from the Government for their constituencies. I say this is a system of wholesale bribery and corruption, demoralising not only the members of this House, but whole constituencies. You have bought this country wholesale and in detail. The Minister of Finance leaves his office and snug home and \$10,000 a year in London, and comes to this country for the purpose of carrying the elections in Nova Scotia. He goes into Nova Scotia and promises them railways by the dozen, I believe, and subsidies to no end. If Nova Scotia gets them, I suppose we will get them in Ontario; but I say that these pre-election promises are made for the purpose of buying support in order to continue themselves in office, much to the disadvantage of the country. We find that men who come here opposed to the Government cannot get from them the commonest measures of justice unless they turn around and support them. But I hope, and I thoroughly believe, there is not a man on this side of the House, come from what Province he may, whose back is not strong enough to stand upon his principles and pledges, and fight the Government on everything that is not in the public interest; and in doing that, I believe his acts will meet with the approbation of his constituents, and will strengthen instead of weakening him in their estimation. I repeat that this system is demoralising not only the members of this House, but the whole electorate of the country, and it has gone to a length that is unprecedented in the history of this country. It is disgraceful to say that an hon. member representing the large majority of a constituency or a county cannot approach the Government with a proposition that is fair and right on its face and expect to have it entertained. He is told, if not in plain words, at least by implication, that if he does not support the Government the Government will not grant the money which is necessary for public works in the interest of the country.

Mr. CAMERON. My hon. friend who has just resumed his seat says that where public money ought to be expended there it should be expended. My experience has been that the present Opposition, when in power, do not practice exactly what my hon. friend now preaches. In 1871, a very important work was undertaken by the Liberal-Conservative Government in the county of Inverness and put under contract. That work was prosecuted with considerable vigor until 1874, when my hon. friends opposite assumed power, and as soon as they did they, at the suggestion of their own friends, discontinued the work. Thus, unfortunately, a large amount which had previously been expended by the previous Government was, to a great extent, frittered away. If they then had practiced what they now preach, that work would have been finished years ago. I am sorry to say that the bad example given by them has been to some extent followed by this Government, and that that work has not been up to this time finished, largely because hon. gentlemen opposite failed to prosecute the work which was under contract when they took office.

Mr. KIRK. I notice there are three items in this sum of \$190,000 voted last year and not expended, \$4,000 for Lunenburg buildings, \$4,000 for Kentville and \$8,000 for New Glasgow. Does the hon. Minister intend to expend this, and if he does is it not necessary for him to take a revote?

Sir HECTOR LANGEVIN. The fact that these sums are there and not carried over to 1887-88 does not imply that these votes have not been expended. Some of them have been, and the others will stand good until the first of July, and will be carried over, no doubt, until the 1st October, as generally these votes are carried over, so that the Government have time during that period to expend such proportion of these sums as may be required for the work for which they are voted. In New Glasgow the whole amount has been expended, and at Lunenburg the site has been purchased.

Mr. KIRK. If the \$4,000 granted for the public building at Lunenburg is not expended and the building not erected, we may take it for granted that it is because the member who represented the county so well for the last four years has recommended the discontinuance of that item, as the Government has stated the fact on the recommendation of that gentleman.

Sir HECTOR LANGEVIN. The hon. gentleman will allow me to let him draw his own conclusions.

Montague (P.E.I.) Post Office, &c..... \$2,000

Mr. ROBERTSON (King's, P.E.I.) Unless the hon. gentleman protects that building in Montague, with a stone wall around it, as it is on a very unsuitable site, the probability is that in a short time it may be destroyed—it being in an elevated place between two very sharp cuttings.

Mr. GILLMOR. I would ask the hon. gentleman if the post office and customs house in St. Stephen is yet occupied?

Sir CHARLES TUPPER. Do I understand that this Government has actually built a custom house and post-office in the county represented by my hon. friend? I can hardly believe, after what we have heard to-night, that it could be possible.

Sir HECTOR LANGEVIN. This will be probably completed at the close of the fiscal year.

Mr. GILLMOR. I feel grateful to the Government for having put up a building at St. Stephen, but they have been remarkably slow. Six years ago the first appropriation was voted, and we have to wait until the close of this fiscal year before this building can be occupied. I have represented that county for a good many years, and I must confess that the Government have treated the county pretty well. Whatever may have been their motive, they have given several appropriations.

Sir CHARLES TUPPER. It is not parliamentary to impute motives.

An hon. MEMBER. That is why he does not tell you the truth.

Mr. GILLMOR. When I consider the population of St. Stephen, it is very generous indeed in the Government to erect a public building there. I am very much obliged to them. I wish they had hurried up and got into it before, but they have not neglected the county. I can speak also for the late Minister of Marine and Fisheries. I do not know at whose suggestion he did it, but I made the claim, and I presented arguments for a fish-way, and there was \$2,000 expended on fish-ways in my own parish. Then my friend listened to my wishes and gave us a fog alarm on Big Duck Island, and a lighthouse on the southern end of Grand Manan. I cannot speak for other counties. I have represented Charlotte for thirteen years, and I must confess this Government has done pretty well, considering I have always been in Opposition. At the same time, there is an important question involved now, and it is one we should not make light of. This is the question whether constituencies which differ from the Government are to have their interests disregarded, whether the taxation of the people is

Mr. KIRK.

to be taken from them and the public interest in that constituency is to be neglected? I hope such are not the principles which animate the Government. As to the patronage, nobody disputes their right to that—no doubt about it,—but I would be sorry to support a Government, I would not support a Government which neglected the public interests of a constituency because the majority did not choose to send a representative to support that Government, and no one will rise and advocate that policy.

Mr. MILLS (Bothwell). Yes; the Minister of Customs did.

Mr. BOWELL. No, I did not. I took exactly the same ground as the hon. gentleman takes in regard to patronage. Oh, there is as much truth in your shaking your head as in saying you built the public buildings in Belleville.

Mr. GILLMOR. I know the idea is general that, unless you send a representative to support the Government, you cannot expect an appropriation. I would be very sorry if that is really the intention of Governments which govern this country. I cannot go into the particulars as to the policy of this Government. I do not know anything about it except in regard to the constituency I represent, but I think it is very important that the principle should be well understood. I know the impression has gone abroad, and I think my hon. friend the Minister of Marine and Fisheries rather gave currency to that idea, if you want to get an appropriation, if you want to be well represented, send a man who will have the ear of the Government, he can get what you want. All they ought to be able to get is the patronage. However, I must give the credit to the Government for having done considerable for my county when I have been steadily in Opposition.

Committee rose and reported the resolutions.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to, and House adjourned at 11:55 p. m.

HOUSE OF COMMONS.

MONDAY, 13th June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 129) respecting the Primitive Methodist Colonisation Company, Limited (from the Senate).—(Mr. Small.)

SPEEDY TRIALS ACT.

Mr. THOMPSON moved for leave to introduce Bill (No. 146) to amend the "Speedy Trials Act," chapter 175 of the Revised Statutes. He said: This is merely to make provision for bailing offenders in the Province of Manitoba. The interpretation of the words "County Attorney," or "Clerk of the Peace," does not include the officer in Manitoba who should have such powers.

Motion agreed to, and Bill read the first time.

LOCAL GOVERNMENT IN THE NORTH-WEST TERRITORIES.

Mr. MACDOWALL moved for leave to introduce Bill (No. 147) to amend the North-West Territories Act. He said: The object of the Bill is to enable all the men in the North-West Territories who are represented in the Dominion House of

Commons by the four representatives who were lately elected to represent them here, to have an opportunity of being represented in the Local House of the North-West Council. As the law at present stands, the Lieutenant Governor has the power, when he is assured that there are 1,000 adults living within a district of 1,000 square miles, to erect such district into an electoral district. The result is that there are fourteen such districts throughout the North-West Territories, but a district of 1,000 square miles is infinitesimal in comparison with the extent of country which is without representation. If you got a map of the North-West Territories, and marked off the fourteen electoral districts, they would look like fourteen dots on a sheet of paper like that which I hold in my hand, and it is only those which are represented in the Council of the North-West Territories. The object of this Bill is to give everyone a vote for the Council of the North-West Territories who has a vote for the House of Commons. The North-West members have divided the Territories into nineteen districts on the basis of population, eighteen of which, it is proposed, shall be represented by one member each, and one—that is, the district of Calgary—by two members, on account of its large population. We also propose to reduce the number of nominated members from six to four, and we propose that two of the nominated members shall be retained, Judge Richardson and Col. McLeod, who have grown up with the North-West, who know its varied requirements, and have been, from their legal knowledge, of the greatest assistance to the members of that Council. The Bill proposes that the general election shall take place in September next, and we are anxious that this Bill should go through this Session, as the terms of most of the members of the North-West Council will expire in September next, and that is the best month in which to hold an election. The North-West districts are very large, and it is very expensive to carry on an election there, but in September it is likely to be less expensive than at any other time, while it will agree with the term of those who cease to be members of the Council at that time. We also propose that the term of members elected to the North-West Council should be three years instead of two, and that also because of the expense. It is very harassing to the people of the country and to those who represent them in the North-West Council, to have an election every two years. The expense is great, and the people in the North-West have not enough money to hold an election every two years. We do not ask for a term more than three years, because we believe that with good harvests and with the large immigration that we expect in the North-West, the North-West may have advanced to such a degree that the Council may then be able themselves to propose some scheme for the local government of the North-West. The main object of this Bill is to give a vote to every man for the North-West Council who has a vote for a member of this House, and again I press upon the House the necessity of passing this Bill into law this Session. It is impossible, I know, for a private member to carry it this Session, but I appeal to every member of this House on both sides to give a kind consideration to this Bill. It is not a question into which party politics can be introduced in any way. It simply gives a vote for the Local Parliament to those who possess it now for the Dominion House, and are as much entitled to vote as those who now do vote for the North-West Council. At present, for instance, in township 15, a farmer can vote, but in township 16 he has no vote at all, simply because one is within an electoral district and the other is not. By this Bill the North-West is divided into electoral districts in such a way that every man in any of the three districts of Saskatchewan, Alberta and Assiniboia shall have a vote for a member of the North-West Council. I appeal to the members on this side of the House not to

oppose the Bill, but to let it go through, and I appeal to the Government to undertake the charge of the Bill, and to allow it to become law during this Session.

Motion agreed to, and Bill read the first time.

FIRST READING.

Bill (No. 148) to provide for the improvement and management of the harbor of Sorel.—(Mr. Labelle.)

IN COMMITTEE—THIRD READINGS.

Bill (No. 100) respecting the Waterloo and Magog Railway Company.—(Mr. Colby.)

Bill (No. 103) to incorporate the Cobourg, Blairton and Marmora Railway and Mining Company.—(Mr. Guillet.)

Bill (No. 87) to revive and amend the charter of the Quebec and James' Bay Railway Company, and to extend the time for commencing and completing the railway of the said company.—(Mr. Grandbois.)

Bill (No. 99) respecting the Ottawa and Gatineau Valley Railway Company.—(Mr. Wright.)

Bill (No. 104) to incorporate the Canadian Power Company.—(Mr. Hesson.)

Bill (No. 90) to revive the charter of the Quebec Railway Bridge Company, and to amend the same by extending the delay for the commencement and completion of its works, and in other respects.—(Mr. McGreevy.)

Bill (No. 105) to incorporate the Hereford Branch Railway Company.—(Mr. Ives.)

Bill (No. 130) to incorporate the Teeswater and Inverhuron Railway Company.—(Mr. Cargill.)

Bill (No. 120) respecting the New Brunswick Railway Company.—(Mr. Skinner.)

Bill (No. 109) respecting the Manitoba and North-Western Railway Company of Canada.—(Mr. Scarth.)

Bill (No. 61) to amend the Acts incorporating and relating to the British Canadian Loan and Investment Company (Limited).—(Mr. Small.)

Bill (No. 98) to amend the Act incorporating the Anglo-Canadian Bank.—(Mr. Ward.)

Bill (No. 128) to enable the Western Canada Loan and Savings Company to extend their business, and for other purposes (from the Senate).—(Mr. McCarthy.)

Bill (No. 125) to incorporate the Manufacturers' Accident Insurance Company.—(Mr. Small.)

KINCARDINE AND TEESWATER RAILWAY.

Mr. KIRKPATRICK moved that the amendments made by the Senate to Bill (No. 26) to incorporate the Kincardine and Teeswater Railway Company, be concurred in. He said: In asking the House to concur in these amendments I do so at the request of the hon. member for Simcoe (Mr. McCarthy), but I desire to point out to the House that these amendments are really a mistake which has been made by the Senate in striking out two names of incorporators instead of two others—leaving in the names that should have been struck out, and striking out the names that should have been left in. There is a further mistake made in the Bill, owing to the practice which has unfortunately prevailed a good deal this Session, of moving Bills in the absence of the promoter or the member in charge. It appears this Bill was passed through the Railway Committee in the absence of the hon. member for Simcoe, and it authorises the construction of a railway from Teeswater to Kincardine, through the townships of Kincardine and Culross, but there

is another township through which it must pass, and which has been omitted, viz, the township of Kinloss. It would be necessary, to make the Bill of use, that there should be an amendment made authorising the construction of a railway in almost a direct line through the townships of Kincardine, Kinloss and Culross. I suppose, owing to the similarity of the Scotch names, the printer omitted one of them by mistake, and the mistake may be corrected by our agreeing to the amendments of the Senate, and then asking the House for permission to correct the mistake made in the Bill as passed. We have a precedent for introducing a Bill to correct a mistake in an Act already passed in the same Session. I refer to the Ontario Bank Bill, passed in the Session of 1881, when, owing to the length of the Session, it became necessary to make a correction, and the House permitted a Bill to be introduced and read three times in one sitting. After the amendments are concurred in, I will ask permission to introduce a Bill to correct the mistake, and that it be read three times and sent to the Senate.

Sir HECTOR LANGEVIN. In answer to what my hon. friend has just said, and in order that the House may not remain under the impression that the error occurred through the fault of the Railway Committee, I would say that the Railway Committee are not at all to blame. I know the hon. gentleman did not intend that any blame should be attached to the Railway Committee, but that inference might be drawn from what he said. The fact is, the Bill was taken up by the committee in the absence of its promoter, the hon. member for North Simcoe, because there was an agent present to follow the Bill, and if an error was committed, it was because the agent did not know better and did not suggest the amendment. I do not see any objection to the course proposed by my hon. friend.

Mr. KIRKPATRICK. I did not intend to insinuate that there was any fault on the part of the Railway Committee. I said the fault was, in all likelihood, due to the fact of the printer having omitted the word Kinloss.

Mr. MILLS (Bothwell). It would be better to drop the Bill and re-introduce it. It would take no longer time to put it through than to put the amendment through, and it would be more satisfactory to have everything included in the one Bill.

Mr. KIRKPATRICK. If you, Mr. Speaker, will go on with the next Order, I will consider the suggestion of my hon. friend.

§SECOND READING.

Bill (No. 143) to enable the Canada Permanent Loan and Savings Company to extend their business, and for other purposes.—(Mr. Cockburn.)

DIVORCE—JOHN MONTEITH RELIEF BILL.

Mr. O'BRIEN moved the second reading of Bill (No. 144) for the relief of John Monteith.

Sir HECTOR LANGEVIN. When another Bill of divorce came before the House the other day, I asked for a division on the second reading in order to take the sense of the House and to show that we were opposed—a number of us, at all events—to the passing of such measures. The vote was taken and it was a decisive one. As I do not suppose that, by calling for a new division of the House, we could obtain a larger vote in proportion than we did at that time, I do not intend to divide the House on any more of these Bills this Session. Of course any other gentleman can do so, but, as far as I am concerned, I do not intend to do anything except to ask that the Bills if carried be so on division.

Motion agreed to, and Bill read the second time on a division.

Mr. KIRKPATRICK.

DIVORCE—FANNY M. RIDDELL RELIEF BILL.

Mr. IVES in the absence of Mr. TUPPER moved the second reading of Bill (No. 145) for the relief of Fanny Margaret Riddell.

Mr. JONES. As I was not in the House when the previous division was taken, I desire to say that, if I had been, I should have voted with the minority.

Motion agreed to, and Bill read the second time on a division.

Mr. IVES. I desire to say that, while I had no objection to moving the second reading of this Bill, because my hon. friend beside me was out of his seat, I do not wish it to be understood that I am in favor of its principles, as I have always objected to the principle of divorce.

Sir ADOLPHE CARON. I was away from the House the other day when a vote was taken, and I desire to say that I had paired with the Minister of Customs on the Bill.

KINCARDINE AND TEESWATER RAILWAY.

Mr. KIRKPATRICK. With reference to the Bill from the Senate, I have considered the matter, and, as the rules of this House are governed by precedent so much, and as there is no precedent for introducing the second time a Bill having the same object as one which has been introduced before, we cannot introduce a Bill again to incorporate the Kincardine and Teeswater Railway Company. I think, therefore, it would be impossible, according to the precedents which govern us, to carry out the suggestion of the hon. member for Bothwell (Mr. Mills); and we will have to go back and concur in the amendments made by the Senate, and then ask for leave to introduce a Bill amending that.

Amendments made by the Senate to Bill (No. 26) to incorporate the Kincardine and Teeswater Railway Company, read the first and second times, and concurred in.

Mr. KIRKPATRICK moved for leave to introduce Bill (No. 149) to amend the Act of the present Session, to incorporate the Kincardine and Teeswater Railway Company. He said: This Act provides that the first and second sections of the Act of this Session shall be repealed, and that clauses shall be inserted with the proper names, and directing that the said railway shall pass as nearly as possible in a straight line through the townships of Kincardine, Kinloss and Culross.

Mr. MACKENZIE. Every private Bill must be introduced on petition.

Mr. KIRKPATRICK. It is not necessary to have a petition in a case of this kind. There is a petition for this Bill; there is a petition for the amendments which this Bill provides for. In 1881, when the Bill relating to the Ontario Bank was passed, there was an error in it, and that was corrected in the same way by an Act passed in the same Session to amend it. As a private Bill, it has been petitioned for in the petition which was presented for the original Bill.

Motion agreed to, and Bill read the first, second and third times, and passed.

Mr. IVES. As we have dispensed with the fee on some grounds of this kind, it might be well to pass a resolution dispensing with the necessity for obtaining concurrence of the Senate.

PROHIBITION OF INTOXICATING LIQUORS.

House resumed the adjourned debate on the proposed motion of Mr. Jamieson, declaring it expedient to prohibit the manufacture, importation and sale of intoxicating liquors, except for certain purposes stated, the motion

of Mr. Girouard in amendment thereto, and the motion of Mr. Cargill in amendment to the said amendment.

Mr. CASEY. When this debate was adjourned the other night, I was about to speak to it. There are three propositions before the House. The one immediately before us is a proposition to repeal the Scott Act. The next in order of voting is the amendment of my hon. friend from Jacques Cartier (Mr. Girouard), to allow beer, wine and cider to be sold under the Scott Act; and the original proposition of my hon. friend from North Lanark (Mr. Jamieson), is, that prohibition shall become law in Canada. In regard to the first proposition on which we shall vote, that of repealing the Scott Act, there are several reasons why I cannot at this time agree to it. The amendment of my hon. friend from East Bruce (Mr. Cargill) states that the Scott Act has been a failure in the counties in which it has been tried. Now, Sir, I am not in a position to pronounce upon that matter. I know how the Scott Act has worked in my own county, I know by report how it has worked in some other counties, but I am not in a position to say that it has been a failure in every county where it has been tried. I think the decision of this point should rest, not with myself, not with any new member, not even with such older members as the hon. member for Jacques Cartier (Mr. Girouard) or the hon. member for Lanark (Mr. Jamieson), but with the Government of the day. The Canada Temperance Act was a Government measure. Its terms imply that it should be enforced by officials of this Government, and they should be aware whether it has been a success or not in the different counties in which it has been tried. It is for the Minister of Justice, or the Minister of Inland Revenue, under whose Department it more immediately comes, to say whether the Canada Temperance Act has been a success, to say whether the experiment has been sufficiently tried and has failed, or whether it has succeeded, or whether it has been insufficiently tried, and should be tried somewhat longer. There are three courses open to the Government. They may say that this experiment—for it is admittedly an experiment—has been tried sufficiently and has been found a success. In that case it is the duty of the Government to propose a measure of total prohibition. They may say that it has been sufficiently tried and has failed—it is then their duty to propose a repeal of the Canada Temperance Act. They may say that it has been insufficiently tried, that the result of it is uncertain—in which case it is their duty as a Government, and not as individual members of this House, to oppose any interference whatever with the terms or with the operation of that Act. Now, Sir, I represent a Scott Act county, and in regard to that county I cannot say that the Act has been a success so far; I cannot say that the passage or operation of that Act has materially reduced the consumption of liquor in the west riding of Elgin. I know that it has prevented the sale of liquor in some three taverns, I think, so far as my information bears me out. At the same time, to the best of my knowledge, two or three other taverns have been started since the passage of the Act in West Elgin, where it has been in force for a year last May. I have reason to suppose that in all these taverns except the first three I have named liquor is sold, if not as openly as before, at least in considerable quantities. Therefore I cannot pronounce the Scott Act a success in the west riding of Elgin. The same thing is true, so far as my knowledge goes of the city of St. Thomas, which belongs to the east riding of Elgin for Dominion purposes, and to the west riding for local purposes. The Act was carried there by a bare majority—I think 13, and there has never been any public sentiment in St. Thomas in favor of the enforcement of the Scott Act. By public sentiment I mean any overwhelming public sentiment in favor of its enforcement, and in that city liquor is sold, I may say, without concealment, and I

believe quite as freely as it was before the passage of the Act. In the west riding of Elgin, which has for some little time back been, for inspection purposes, under the provincial law, included the city of St. Thomas, we have an inspector who is a strong temperance man, a strong prohibitionist, and most zealous in his attempts to enforce the law. Notwithstanding his zeal, notwithstanding his honest endeavors to enforce the Act, ever since St. Thomas has been included in his inspectorate, he has found it impossible to prevent the sale of liquor, although he has obtained a considerable number of convictions. This being the state of things, the question arises, Whose fault is it? It is evidently not the fault of the inspector; he has done his best under the Act as it stands. Whose fault is it if the Scott Act has been a failure in the west riding of Elgin? as I confess it has been. The first consideration towards answering this question must naturally be, Whose duty is it to enforce the Scott Act? We were told during the provincial campaign, last autumn, that it was the duty of the Local Government to enforce the Scott Act. I have always contended, and I contend still, that it is no more the duty of the Local Government to enforce the Scott Act than to enforce, let me say, an Act in regard to the Post Office, the Customs Act, or the Inland Revenue Act. It is the duty, of course, of Provincial Governments to enforce the criminal laws. It is their duty to provide proper tribunals for the trial of cases arising under those laws, and to enforce the sentence of those tribunals. But it has never been contended in connection with any other law, it has never been contended with success in connection with this law, that it was the duty of Provincial Governments to appoint special officers for the enforcement of those laws. It has simply been their duty to provide machinery for carrying out the criminal law of the Dominion. Nobody has ever attempted to throw upon the Provincial Governments the responsibility of enforcing the Customs law, or the Excise law, or the Post Office law. It is equally clear, to my mind, that the responsibility for carrying out the Canada Temperance Act, which is an Act put under the special care of the Department of Inland Revenue, should not fall upon the Local Government, but upon the Federal Government which passed the Act, and whose duty it is to maintain it. If I wished for any confirmation of this position, I would find it in the 101st and 102nd sections of the original Act, which sections, I believe, have not been changed in the revision of the Statutes. I find in section 101 these words:

"A prosecution for any such penalties or punishment may be brought by, or in the name of the Collector of Inland Revenue, within whose official division the offence was committed by or in the name of any person."

Section 102 says:

"It shall be the duty of such collector of Inland Revenue to bring such prosecution whenever he shall have reason to believe any such offence has been committed, and that the prosecution, therefor can be sustained, and would not subject him to any undue measure of responsibility in the premises."

It appears to me from these two sections, that, in the first place, any person can prosecute for an infraction of the Canada Temperance Act; in the second place, it is specially the duty of the collector of Inland Revenue within whose official division the offence was committed, to prosecute any such infraction when he has information that the offence has been committed. The primary responsibility, then, rests with the collectors of Inland Revenue, and with the Department which controls them. I think, therefore, it remains for the Minister of Inland Revenue to explain why it is that he has not seen that his subordinates do their duty, and why it is that he has not directed the collectors of Inland Revenue to enforce the Canada Temperance Act, upon pain of dismissal in case they refuse to act in

the premises. It is for the Minister of Inland Revenue, then, primarily, to explain why it is that the Scott Act has not been enforced in counties where it has been adopted. I do not say it has been a failure in all counties. We have been told by the hon. member for Halton (Mr. Waldie), that it is enforced in his county; we have been told the same by members from other counties. But we know that in some counties it has not been enforced, and we want the Minister of Inland Revenue to explain why he has not seen to the enforcement of the Act in those counties. I also want the Minister of Justice to tell us why he has not considered the matter, why he has not considered the reports sent in, or which should have been sent in by the collectors of Inland Revenue; why he has not settled in his own mind whether the Scott Act is a success or not, whether it should be perpetuated or given up as a played-out experiment. It is particularly the duty of the Dominion Government to enforce this Act, because they alone can provide the proper machinery for its enforcement. The inspectors appointed by the Provincial Governments cannot, by any possibility, thoroughly enforce this Act; it is absurd to expect them to do so; it is absurd to cast upon them any responsibility for the failure of the Act in any county. They have not the right of search except under certain circumstances. They cannot search a house for liquor, unless information has been duly laid on oath and a writ has been got out against the person whose house they propose to search, following which they can obtain a search warrant and search the house of the person supposed to have sold liquor. It is thus practically impossible to find liquor upon the premises, as when the tavern-keeper or other person receives a notice in the shape of a writ that his premises will be searched he secretes the liquor, and when the inspector comes with a search warrant he fails to find anything. This is a state of things that a Local Government cannot remove. This Government, which assumes to have complete charge of questions of trade and commerce and of the liquor traffic as regards prohibition, at all events, could procure a better enforcement of the Act, could endow their officers, who have been directed to enforce it, with sufficient power, and provide means for carrying out that responsibility which they have deliberately taken on themselves, of enforcing the Scott Act. It is worthy of notice that, although the statutes have been revised since the Canada Temperance Act was passed, the Government have not divested themselves of the responsibility of carrying out the Act, and the sections dealing with that point remain as part of the revised statutes. They sit, as did the Reform Government which preceded them, clothed with the responsibility of enforcing this Act. The only difference is that the Reform Government had no opportunity of enforcing it, for they were defeated after the Session in which the Act was passed, and upon their successors has devolved the duty, as well as the opportunity, of carrying out the Act, which still remains on the Statute-book, and which they have not seen fit to repeal. They are, therefore, responsible to the country for carrying out this law, as much as for carrying out any other law in the statute book. If they and their supporters plead that the law is a failure and cannot be carried out, they are pleading that the Government which the hon. member for East Bruce (Mr. Cargill) supports have been derelict in their duty in not carrying out that law on the statute-book, a law which the Dominion Government have assumed the responsibility of enforcing. Perhaps the Minister of Inland Revenue will be able to show some instances in which his subordinates, his collectors, have endeavored to enforce the Act. I have not heard of such instances myself, and I do not expect to hear of any. If he is able to point to any such instances, in which he and his colleagues even attempted to enforce this Act, no doubt he will submit them. Admitting the failure of the Act in some coun-

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ties, admitting that the member for East Bruce (Mr. Cargill) is correct, and that it has been a failure in his county, admitting even that the Act is a failure generally—though I do not pronounce any opinion upon that—even if I did not think the Scott Act could be enforced as it stands at present, I would not consider that a reason for repealing the Act. If the Act cannot be enforced, the logical conclusion is that we should strengthen the Act, unless the Government have decided to go back on our opinion, expressed nine years ago and not reversed since, that it was proper to allow counties local option in regard to prohibition, in regard to the sale of liquors—I say that is the logical conclusion, unless they are prepared to advocate the repeal of the Act, that we should improve the Act, and add additional machinery so that it can be enforced. What has been the record of the Government in that respect? They have not been without warnings. Their own supporters, including the hon. member for Lanark (Mr. Jamieson), a prominent supporter, impressed upon the Government that the Act is not workable as it stands. What have the Government done? Have they chosen to act as a Government upon the matter? No, they have not. They have not chosen to perform their duty and accept the responsibility which rests upon them as a Government, controlling the legislation of this country, either by proposing amendments to, or proposing the repeal of, the Act. They have simply allowed the House to do what it pleased about the Act. On the one occasion when the promoters of amendments to the Act succeeded in passing those amendments through the House, and sending up a Bill to the Senate, materially improving the Act and the chance of its enforcement, what happened? The Senate, the subjects of the Government of the day, most of them the nominees of the Government, rejected those amendments, or, rather, they made such amendments to the Act that this House could not accept them, and it fell through. I, therefore, place the responsibility on the Government, first, for the present inefficient state of that Act; and second, for the fact that in many cases it has been found impossible to enforce it. I will go even further. Supposing I believed—and I do not express any opinion upon this point—that even with all the amendments which the hon. member for Lanark (Mr. Jamieson), with the assistance of the Dominion Alliance, could suggest, it was found impossible to carry out the Scott Act, I am still not prepared to vote for the repeal of the Act. That Act is admittedly an experiment; it has been deliberately entered on by a large number of counties of the Dominion on the understanding that it would remain in force for three years, during which it would have a fair trial, and there would be a fair opportunity of finding out whether local prohibition could be enforced or not. Having entered upon it with that understanding, having the experiment now in progress in certain counties, I am not prepared, even if convinced that no amendment to the Act would make it a success, to vote for its repeal. When I find that the majority of my constituents, that the majority of the people of the country, whether my constituents or not, believe the Act is a failure and that no amendment will make it a success, then I will be willing and ready to vote for its repeal, because I believe a measure of prohibition which cannot be enforced is much more injurious to the country than a good license law. But in the meantime I wish for my constituents, and for the people of all the counties which have adopted the Scott Act, and for those who have the opportunity to adopt it, the right to avail themselves of the Act which was passed in 1878, and which the Government has not taken the responsibility of repealing. Much the same argument applies to the amendment moved by the hon. member for Jacques Cartier (Mr. Girouard). That hon. gentleman proposes to allow the sale of beer, wine and cider, under the Scott Act. There are several objections to the course proposed. In the first

place, I believe it would be breaking faith with those counties that have adopted total local prohibition of all intoxicating liquors, for they adopted the Act as it stood on the Statute-book; that it would be breaking faith with those people to say that they should not have that for which they voted, but should have something else. In the second place, I believe that any such provision for the sale of beer, wine, and cider would make the Act practically a nullity. If tavern-keepers get a license to sell wine, beer and cider, under the Scott Act, they would be able to sell many other things on the sly, which we are not asked by the promoter of this amendment to allow them to sell. And, Sir, who is to license them in case we pass the amendment? It has been decided already that this House has not the right to issue licenses to retail wine, beer and cider. The Scott Act itself provides that, in counties where it is adopted, the Local Government has not the power to issue licenses. Who, then, is to license these men who are to sell wine, beer and cider? Who is to appoint inspectors to see that they do not sell anything else than wine, beer and cider? There is no power which can issue licenses, or appoint inspectors to inspect the premises upon which the licenses are issued. And I conclude, therefore, that the effect of carrying the amendment of the hon. member for Jacques Cartier (Mr. Girouard) would be to introduce utter anarchy in the liquor trade in Scott Act counties, to allow as many men as pleased to do so to sell without license, and free them from such inspection as would prevent them selling only those things which they are licensed to sell. For these reasons I am compelled to vote against the two amendments to which I have referred. When the experiment of local prohibition has been fully tried to the satisfaction of the country at large, and when the Government sees fit to pronounce an opinion as to its success or non-success, then I will be prepared to consider the question whether I should not vote differently. If the Government, with their information, choose to tell us that it is impossible to enforce this Act, I do not know what effect it would have upon hon. members on this side, who have consistently voted for the Scott Act, and for such improvements to the Scott Act as were found to be necessary. I call on the Government, before the end of this debate, to express an opinion on this subject. It is their duty to do so, and all the more because in the western section of Ontario, at all events, it was currently believed, just prior to the last election, that they had promised the brewers certain things with regard to this Act. I know of one brewer in the city of St. Thomas whose vote was changed at the late election, from an impression he received in conversation with the Minister of Agriculture—(Mr. Carling)—whose views on this subject must be well known to the House—that the Government intended to propose, or, at all events, to support, as a government, an amendment allowing the sale of beer under the Scott Act. The brewer, on that promise, on the impression he received in that conversation—I do not know how fully he understood the Minister—changed his vote from the Reform side to the Conservative side, saying that he could not vote against his bread and butter, that the Government promised to allow him to sell beer in the Scott Act county of Elgin, and that, therefore, he would vote for the Government. Such promises I have heard of from other neighborhoods. I know that the impression was general in the western part of Ontario, during the campaign, that the Government had promised this modification; and all the more for these promises, which were vaguely given, it is incumbent on the Government to say whether they do favor this modification of the Act, or whether they will fulfil the expectations they aroused amongst the brewers of that district. And yet, Sir, though I am compelled to vote against these amendments, I am bound to say that I consider the motion of my hon. friend from Lanark (Mr. Jamieson) premature. Although I am not able to say that the Scott Act is, or that prohibition

would necessarily be, a failure, I must confess that the experience I have had of the working of that Act is not such as to lead me to believe that the country is ripe for prohibition. I have seen, as a matter of fact, wherever I have been in Scott Act counties, that, unless a very large proportion of the public in those counties were in favor of prohibition, the Scott Act was nothing but a dead letter. This Government, whose duty it is to enforce it, did nothing to enforce it. The Minister of Inland Revenue, whose special duty it is to enforce it, did nothing to enforce it. The Provincial Government of Ontario did ask its officers to assist, as private citizens, in enforcing the Act as far as possible, but their assistance was necessarily unavailing. But I have been yet unable to see that the evasions of the law which are possible under the Canada Temperance Act would be impossible under general prohibition. I have been unable to see that it would be easier to enforce general prohibition than it is to enforce the Canada Temperance Act. When I believe the country is ripe for prohibition, when I believe the great majority of the people of Canada are willing to assist earnestly in enforcing prohibition, I shall be willing to vote for prohibition. Until that time I beg to reserve my opinion on that subject, and to hold that it is not wise to rush into experiments of whose results we are unaware. With regard to this part of the question, I do not know that I could do better than quote some remarks on this subject which were made in my own county in the Local campaign by the leader of this side of the House.

Some hon. MEMBERS. What is the date?

Mr. CASEY. The date is the 7th of December, 1886. During the local campaign the leader of the Opposition spoke at Aylmer, in the county of Elgin, Ontario, principally in regard to this temperance question. In the course of some preliminary remarks he stated that he was a total abstainer himself and had been so for a number of years, feeling it his duty to be so for its effect on the general public; that he believed that the country would be better off if everybody was a total abstainer, and so on. I need not quote that part of his speech, because I believe every hon. gentleman in this House knows the views of the leader of the Opposition, knows that he is a consistent total abstainer, and that he has strongly urged his friends and the public generally to come to the same views. He speaks of the progress which has been made with regard to total abstinence:

"In this respect great progress has been made—I recognise it thankfully—but much more remains to be done, and if we slacken in this work, and hope to save trouble to ourselves by other and wholesale and involuntary methods, we shall make the greatest mistake conceivable. I think no repressive legislation can be profitable or permanent unless there exists a widely diffused and very strongly felt and earnest public opinion at its back. The tone and quality of this opinion are of as much, or more, consequence than its quantity. It is not from fear of the criminal law that the bulk of the community abstains from crime. The bulk would abstain if there were no criminal law. The conscience of the community would be its law. Laws generally derive their binding effect from this consideration."

And here I must notice the contention of the hon. Minister of Marine and Fisheries the other night, that there is no argument against the Scott Act, on account of its non-enforcement, that there would be no argument against total prohibition, on account of its non-enforcement, any more than there would be against the ordinary criminal law of the country, because there happen to be breaches of that law. I point out to him that prohibition would create a new and artificial crime to which the people of the country are not accustomed; it would make actions which have hitherto been considered legal and proper, criminal actions; and until the vast majority of the people believe that such actions are criminal, no law which makes them nominally criminal can be enforced. It may be said that the law against murder, or burglary, or horse stealing, is broken,

and that, therefore, it is no argument against a prohibitory law to say that it is sometimes broken. My answer to that is that when you get as large a majority in the country to believe that it is a crime to steal a horse, to kill a man, or to break into a warehouse, then you will be able to enforce prohibitory laws as well as you are able to enforce laws against stealing, murder or burglary. Until you produce that unanimity of sentiment you cannot enforce such laws fully. Apart from that, it is a mere question of degree; it is a question for every member of this House to consider how great a percentage of enforcement would induce him to vote for a prohibitory law. For myself, I may say that unless I believed it could be enforced in the majority of instances, I think the passage of such a law would be an injury instead of a benefit. But I must return to the speech I have been quoting from. The hon. gentleman continued:

"But for that, though directed against a few only, there would be little of little use. This view has very special application to legislation upon the subject of the general social customs of the people. It follows, then, that it is only this widely diffused and strongly felt public opinion which can be properly crystallised into law, and that premature attempts will be abortive failures. This condition of opinion may exist at various epochs of progress in which, usefully, licenses may be required to sell, under which high license may replace low license, under which restricted license may replace freer license, under which local prohibition may replace high and restricted license, and under which general prohibition may replace local prohibition. But in deciding on the legislation to be at any particular time adopted, we must determine whether the country is at that time ripe for the legislation; whether it is reasonable to conclude that it will be maintained, for else we hurt instead of helping the cause. Now, as to legislative and executive action, I am against the emasculating of the Temperance Act, which I believe to be in contemplation at this hour. I am for the amendment of that Act in those details in which experience has shown defects preventing a fair test of its principles. I believe it is the duty of the Government of the day, finding this law upon the Statute-book, to determine whether it shall be repealed or made effective; and if they do not choose to repeal it they are bound to make it effective, and if they neglect dealing with the case they neglect their plain and obvious duty. I am for a fair and full trial of the Act in the localities in which it is in force, with all the aid that executive action can properly afford."

A little further on he said, in regard to the passage of the Scott Act in different counties:

"I am for or against the submission of the Act in new localities according as there is or is not a fair prospect in the condition of local opinion that it will be reasonably efficacious. It is on this consideration that I myself would vote in case it were submitted in a county in which I had a vote. I am against the submission of the Act as a mere test of public opinion, by a vote as a plebiscite on prohibition, without a firm determination to work it thoroughly if passed."

A little further on, he said:

"I am glad to say that in many places the Scott Act is working fairly, and in some cases the results are hardly known, and in some the results are not favorable. But I notice large numbers of our citizens, good, sober, virtuous, and exemplary, as yet unconvinced as to the duty of total abstinence themselves, and, therefore, unfit to enforce it upon others. I find many supporters of temperance legislation who do not look upon drinking, even in Scott Act counties, as a crime, and who refuse that moral support and help to the enforcement of that law which they give to the general criminal law."

I quite concur in those views. I have seen many people, even some who have voted for the Scott Act in Scott Act counties, who did not assist in its enforcement. He went on:

"Just compare things. Suppose one of us is walking along the street behind a neighbor, a friend or a stranger, and sees his pocket being picked. He would make himself a special police constable at once, would try to prevent the crime, and, if he was big enough, would arrest the criminal. But supposing, in a Scott Act county, we pass an unlicensed house—for they are all unlicensed, no licenses being granted—and see someone going in and getting drink; we turn to the other side; we say nothing about that; we do not propose to enforce the law; we do not give the same support, the same sympathy, the same active investigation in the case of this law as is given in the other case. Now, if that be the condition of the more advanced localities, what is the condition in the other parts of Canada?"

I say, Sir, that is emphatically the condition in the Scott Act county in which I live. No respectable man will there inform on his neighbor for breach of the Scott Act. If

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that be the case, I do not believe that any respectable man would inform on his neighbor for a breach of a prohibitory law if such were passed, and, for that reason, I see no greater hope of the enforcement of a prohibitory law than of the Scott Act; and as regards the Scott Act, I believe its enforcement depends on further amendments, and on the assistance of this Government, which has not yet been given, and which I do not believe is going to be given. The hon. gentleman a little later in his speech, referring to the conversion of the people to temperance views, said:

"Until progress is made in that, I am not of the opinion that Canada is ripe for prohibition. I do not believe that the law, if carried, would, in the present condition, be useful or permanent. I remember very well the speech made by Sir Leonard Tilley, that veteran champion of temperance—made not very long before he retired from Parliament—in which he declared the result of his experience in his own Province—confirmed by all that he had learned—an opinion which pointed out the absolute necessity, in order that there might be an efficacious and permanent law, for that strong and widely diffused public opinion to which I refer."

And he observes that even the *Mail* newspaper sustains that opinion. Speaking of a prohibitory law, he said:

"Should the time arrive when I think the law would be useful and permanent, instead of hurtful, I will vote for it, whatever the political results to myself. Until that time comes, I shall vote against it, whatever those results may be. Let me point out to you here that there is a large question involved; there is the question of the reform of the Senate, for just so long as you maintain the Senate as at present constituted and composed, just so long there is an absolute and inseparable barrier to your obtaining prohibitory legislation."

Then he goes on to discuss the financial aspect of the question, the necessity of compensation and other matters. Now, Sir, I believe those views, delivered by the leader of the Opposition party on the eve of an election in which he was deeply interested, were remarkably straightforward, remarkably statesmanlike and remarkably courageous. I have never heard so courageous, so straightforward, and so statesmanlike an utterance on the temperance question, on the part of anyone who could be ranked among the leaders of a party. I quite coincide with the hon. gentleman's views, and I happen to know that the great authorities on temperance coincide with them also. Let me cite, for instance, one of the general superintendents of the Methodist Church, the Rev. Dr. John A. Williams, who was interviewed immediately after this speech was delivered, and who is a strong advocate of temperance. He declared that he coincided with the hon. gentleman's views, and that a great number of the leading temperance men of Ontario approved of them; and in the strongly temperance county which I represent, and other counties in which I have been, I have found the temperance sentiment strongly coincided with the views of my hon. friend and leader on this question. Coinciding with those views, and believing that he has expressed them better and more forcibly than I could myself if I elaborated them any longer, I will merely say that I find it my duty, under the circumstances, to vote against all the three motions before the House; against the repeal of the Scott Act, against any tampering with that Act, as the first amendment proposes, and against prohibition, for which I am not sure as yet that the country is ripe.

Mr. LISTER. I ask the indulgence of the House for just a few moments while I make a few observations on the several propositions now before the House. The county of Lambton adopted what was called the Scott Act, the Temperance Act of 1878, by a majority of something like 2,800. My constituency forms a portion of that county, and I feel I would not be discharging the duty I owe my constituents, if I were to give a silent vote on this occasion. I shall not enter into a discussion of the evils of intemperance, but shall consider simply the question as to whether this House should repeal the Scott Act or not. The propositions before the House are three in number: first, that of my hon. friend for North Lanark (Mr. Jamieson), that this country is now ripe for prohibition; second, the proposition of the hon.

member for Jacques Cartier (Mr. Girouard), that it is expedient that in those counties in which the Scott Act has been adopted, a clause permitting light wines and beer to be sold should be added to the Temperance Act of 1878; and, lastly, the proposition of my hon. friend for East Bruce (Mr. Cargill), that the Scott Act should be entirely repealed. Now, I am opposed altogether to the two last propositions. I say it would be unfair and improper for this House to repeal the Scott Act given to the people in 1878. We know that the temperance movement in this country, prior to 1864, induced this Parliament, in obedience to the wishes of a large portion of the community, to pass an Act known as the Dunkin Act. We know from experience the difficulties which were met in enforcing the provisions of that Act; we know that its provisions and its machinery were so cumbrous it was impossible to enforce the Act. We know that from that time to 1878, there was a general agitation on the part of the temperance portion of the community to ask this House to pass legislation which would have the effect of more perfectly carrying out their views; we know that in Ontario, in obedience to the wishes of the people, this Parliament passed, in 1878, what is known as the Temperance Act of 1878, which gave to the people of the several counties of this Dominion the right to decide whether total prohibition should exist in each county or not. In other words, it gave the people the right to local option. It is well known that no great efforts were made to carry into effect the provisions of that Act until a very recent period, and we know that during the last few years, a great temperance wave has passed over this country. During the past two or three years, some 26 or 27 counties of Ontario alone have adopted that Act; yet before the country has had an opportunity of fairly and properly testing the Act, it is now proposed that it be repealed, and the wishes of the people be utterly disregarded. I protest against any such action. That Act has been adopted by 26 or 27 municipal counties in Ontario, and is in force in 50 or 60 counties in the Dominion, and I repeat, before the people have had an opportunity of deciding whether that Act can be properly worked or not, we should not countenance any proposition to repeal it altogether. I, for one, have faith in the experience and the wishes of the majority of the people; and until the majority of the people in those counties have pronounced against the Act, it is our bounden duty to keep it on the Statute-book and enforce it if possible. The Act should first have a fair trial, and if the temperance sentiment of the country should then decide that it is not efficient, and, not being efficient, is demoralising to the community, they will have an opportunity of expressing their wishes. Then, and not before, should this House legislate on that portion of the subject. I am, therefore, opposed to the repeal of the Temperance Act of 1878. I say, if the amendment of the hon. member for East Bruce were to prevail here, it would emasculate or utterly destroy the Act. There would be nothing left, and the Act might just as well be repealed. As to the question of total prohibition, the proposition is that it is expedient we should prohibit the manufacture, importation and consumption of intoxicating liquors. I say that we have every reason to believe that the resolution moved by my hon. friend for North Lanark truly expresses the opinion of the majority of the people. The reasons in favor of this opinion are much stronger than those against it. In Ontario the Scott Act has been carried in a large number of counties, in Prince Edward Island I believe every county has carried it; in Nova Scotia and New Brunswick, I believe it has been carried in almost every county. Therefore, so far as we can learn, the resolution of the hon. member for North Lanark is in accord with the will of the majority of the people, and that being so, I feel that it ought to receive the support of this House. As to the duty of enforcing the Scott Act, it is alleged by those who are

opposed to the Act that it is not enforced, that it is demoralising to the community, inasmuch as it causes a great amount of perjury, and inasmuch as the law is constantly evaded without the persons guilty being punished. I admit that these causes do, to a great extent, demoralise a community, but I say there ought to be no more difficulty in enforcing the observance of that law than enforcing the provisions of any other criminal law on the Statute-book. If an effort is made honestly to enforce the Act, it can be enforced. A very great question has been raised as to whose duty it is to enforce the Act. I have always maintained that the duty was cast upon the Dominion Government, just as the duty is cast upon it of enforcing the Customs and Inland Revenue Acts or any other of the Statutes which it is plainly the duty of the Dominion Government to enforce. The Government has thoroughly disregarded its duty. It has made no effort whatever to enforce the provisions of the Scott Act, but has sought to throw the responsibility on the Local Administrations. So far as the Province of Ontario is concerned, it is a matter of congratulation that that Province, while not bound to enforce the provisions of the Act, while declaring that there was no responsibility for them in this respect, have assumed that responsibility, and have, to a very great extent, enforced the provisions of the law. This is a question upon which every hon. gentleman has a right to take whatever views he thinks proper. I do not think that because the leader of the Opposition expressed himself in one sense on this question, he was strictly correct, and that I am obliged to think as he did. On the contrary, I take an entirely different view, and I think this Parliament, as a representative body, if it is satisfied that the majority of the people are in favor of prohibitory legislation, should give effect to that opinion. Believing that, I will support the resolution and oppose the amendments.

Mr. WOOD (Brockville). The hon. gentleman who has just taken his seat argued that there was no reason why the provisions of the Scott Act should not be enforced as well as those of any other criminal law. I take issue with him there. There must be a public sentiment in favor of a measure, which backs up and strengthens and supports the officers who enforce the law. The absence of that sentiment in the community is the very defect which causes the bad working of the Scott Act. Every speaker who has addressed the House has admitted that the Scott Act is not a success. I submit that, if it is not, we have to a large extent the unrestrained sale of liquor in this country; and, as I prefer that we should revert to a license law rather than that we should have an unrestrained sale of liquor such as takes place in the majority of the Scott Act counties, I must support the proposition which will bring these counties under the license law. No words have been uttered in reference to prohibition more true than those which were uttered by the leader of the Opposition, to which the member for West Elgin (Mr. Casey) referred. It is reasonable to hold that public sentiment must be educated up to the point not only of the reception but of the enforcement of a law, and the illustration given by the leader of the Opposition was very apt. If you are going along the street and observe a violation of the ordinary criminal law of the land, whether a case of larceny or of any other crime punishable by imprisonment, you will do all in your power to assist the officers of the law; but if you or any other member of this House, no matter how strong an advocate he may be of the Scott Act, observes a violation of that Act, he turns his head and hurries away home in order that he may not be brought up as a witness to punish the violator of the law. As long as the public sentiment is in that condition, so long will temperance legislation be a failure. It may be asked, how long are we to wait until public sentiment is ripe for prohibition? I think we must wait until public sentiment is educated by

the influence of the clergy, the influence of home teaching, and the influence of the educational institutions of our land. The progress made by temperance in the last twenty or twenty-five years has been great. It has been the truest kind of progress, gradually developing in the mind of the people the feeling that drunkenness is an evil, as it is, and that it is, to some extent, a crime; at all events, as far as the individual and his family are concerned. That feeling was ripening, being backed up by moral suasion, but the advocates of temperance, by endeavoring to take the remedy out of the hands of those who have moulded public sentiment up to that point, and to compel the officers of the law to do what public sentiment will not uphold them in doing, will bring about the worst results. I say that, inasmuch as in the majority of cases where the Scott Act is in force, the result has been the unrestrained sale of liquor, I must support this amendment. I support it notwithstanding the fact that I voted against the amendments on a previous occasion, because then I felt that the people should have a trial of the Scott Act before it should be taken away from them. They have had this trial, they have had it in my own county, and, as far as my observation goes, I firmly believe that the vast majority of those who supported the Scott Act at that time are to-day strongly in favor of its repeal. Those who are in favor of its repeal are those who see that the provisions of the Act are violated in every part of the county where it was adopted by a large majority, and they have no remedy except to come to this House and ask for the repeal of the Act. Hon. members say that we have no right to take from the people that which is within their own power. If they had the power to repeal that which they had the power to adopt, it might be another thing, but they cannot repeal it until the end of three years and on that ground I support the amendment. At the last assizes held in Brockville before Mr. Justice Rose, who is a strong temperance man, and advocate of temperance reform, strongly pronounced himself against the Scott Act, saying, what to my mind is very clear, that if you declare that that is a crime in one county while along the borders of that county in another county it is not a crime, it is utterly impossible to enforce any such law. We are brought face to face with the question whether, by repealing this Act or by adopting the amendment of my hon. friend from Jacques Cartier (Mr. Girouard), we should return to the system of license legislation, or should go on from bad to worse, finding as we do, that liquor is now sold in every place where it was sold before the adoption of this Act. I prefer to see us revert to license legislation. I do not desire to take up the time of the House, and in these few remarks I have given the House the reasons why I shall vote for the amendments.

Mr. MASSON. In reference to the original motion of the hon. member for North Lanark (Mr. Jamieson), I am satisfied that the views expressed by the hon. member for West Elgin (Mr. Casey), and also the quotation which he read from the speech delivered by the late leader of the Opposition, must commend themselves to the House in regard to total prohibition. It must be clear to every one who has travelled through any of the counties where the Scott Act is now in force, that this country is not ripe for total prohibition. It is often argued by those who are in favor of total prohibition, and of the Scott Act, and of temperance measures generally, that an expression of opinion has been given by the votes which have been polled in favor of the Scott Act, that in a large number of counties the Scott Act has been passed, and that by large majorities. It is often contended on the other side that a majority of the votes were not polled in those counties, and, although a majority of the votes polled are in favor of the Act, the total vote is not expressed. I do not myself give much weight to that argument, because if that were applied

Mr. Wood (Brockville).

it might be said that a great many hon. members of this House were not representing a majority of their constituents. I submit, however, that the expression of the vote given on the Scott Act is by no means evidence that the country is ripe for total prohibition. It is rather what has taken place since this Act has come into force, what has been the result as to the enforcement of the Act, what success has attended its operation, that has to be considered. Although the Act is not in force in the county in which I live, yet we had the Dunkin Act there, and that was an entire and complete failure, so complete that the leading temperance people asked to have it repealed; and although the Scott Act is not in force in my county, it is in force in every county adjoining mine, and I have had an opportunity of travelling through all these counties, I can speak of it from my personal observation, and I say that the Canada Temperance Act is an entire failure. I do not think that, in any of the counties I have been in, I have seen any difference, in appearance at any rate, in the way in which liquor is bought and sold from the condition of affairs where they have the license system. Then I submit that the open failure of the law in that respect is conclusive evidence that public opinion is not in accord with the spirit of that Act, I would not ask that the majority of the people should be willing and ready to lay information against transgressors of that Act in order to prove that public opinion was in accord with it, but I would ask that those who are the strong advocates of it, like the hon. gentleman for North Lanark (Mr. Jamieson), the strong temperance advocates who speak throughout the country should not be ashamed or afraid of public opinion, and when they see breaches of the Act committed, that they should have the manliness and courage to lay information before the proper parties, and courageously attend and give their evidence against the violators of the law. Whenever the Act reaches that stage, whenever we find through this country, I do not say a majority of the people, but a reasonably large number of men, who are willing to face public opinion and take that stand, then, I say, we shall have some evidence that the Act is in accord with public opinion. Therefore, so far as the original motion of my hon. friend from North Lanark is concerned, I must say that it does not meet my approval. But, on the other hand, when I consider what will be the effects of the two amendments, I must say that they also fall far short of what I consider proper legislation. When the temperance people asked this House for total prohibition, we gave them this optional measure; and now, were that option taken away from them they would say they had not had a proper opportunity of testing it. The question has been asked whether the responsibility of enforcing this law should rest upon this Government or upon the Local Governments; and between the two we see that very little action has been taken by either Government. But what would the temperance people of Ontario say if, after they have obliged the Local Government to take action, and to provide the machinery, as it were, for enforcing this Act, we were to step in and say: We will repeal it; we will not allow it to be enforced by the machinery which the Local Government has provided. Therefore I say that such legislation would be vicious in its character and demoralising in its effect. But what I say in reference to the total repeal of the Act may be said also in reference to the introduction of what is commonly known as the wine and beer clause. I do not think it would have the effect, as some hon. gentlemen contend, of totally wiping out the Act, because I believe that a limited license might be enforced as well as a complete license; but it would have the effect that where people have voted under the Scott Act for prohibition in any county, it would allow the sale of wine and beer against the will of the majority who has adopted that Act. It is for these reasons that while I cannot support the original motion, neither can I support either of the amendments.

Mr. BÉCHARD. I wish to explain to the House the position which I assume with regard to the original motion and the two amendments. I do hope that the main resolution, which has given rise to this debate, and which, if adopted, would form the basis of a coercion Bill, will not receive the assent of this House. Temperance is a virtue, and, in my humble judgment, like all other virtues, its practice may be better promoted and encouraged by moral suasion than by coercion. I do not consider that the great mass of the people are so addicted to drunkenness that we ought to declare that there is no other remedy than a resort to total prohibition, nor do I believe that the practice of any virtue can be promoted by Act of Parliament. Let the friends of temperance preach it, let the ministers of the different Christian religions preach temperance to their people, and let the friends of temperance form associations to encourage those who abuse liquors to join them, and they will receive the sympathies of every respectable man in the community, because those are laudable actions. But when you attempt to legislate upon this question, and to prohibit the manufacture and importation of liquor into this country, I say that you interfere with the individual liberty of every man, and you have no more right to dictate to me what I shall drink than what I shall eat. Sir, I can speak for my own county, and I think I can speak for the whole Province of Quebec—at least for the rural districts, if not for the large cities—and I hold that throughout the whole Province drunkenness is not so general as to justify the enactment of prohibitory legislation. I represent a county composed of sober men, and I am not prepared to say here by my vote that they are a band of drunkards, who need to be restrained by coercive legislation. My county is composed of sober men, and, with very few exceptions, they all take a small glass, or what we call the social glass, but I say emphatically and truly that cases of drunkenness in my county are exceedingly rare. Cases may happen on certain occasions, but very seldom, and the very people who fall into that weakness, by accident, are the first ones to regret it the next day. It is well known that a great progress in temperance has been going on in society for a number of years. To-day, it is a disgrace in the eyes of the public for anyone to be intoxicated. The people in my county, and I think it is so throughout the Province of Quebec, drink mostly beer, and a man must drink half a gallon of beer before he can get drunk. I do not see any great objection to drinking beer; so I say that there has been a constant progress going on in a moral sense, and I think it will be better to leave that matter alone, let that progress continue as it will continue in the natural course of things, instead of endeavoring to hasten it unduly by the pressure of a prohibitory law. A prohibitory law might harm the cause of temperance, because it might indispose what I believe to be the majority of the people against those who profess to be its friends. I do not believe the majority of the people are in favor of prohibition. It is said, however, that the people are ripe for it. But, if so, why has not the Scott Act been adopted in more counties than have adopted it? Only a small proportion of the counties in the Dominion have adopted the Act, and this fact does not show that the majority of the people are in favor of a prohibitory law. The majority of the members of this House might favor such a law, but that would not necessarily prove that the people were in favor of it. A proposition has been submitted to repeal the Scott Act, or in other words, a proposition that would involve the repeal of the Scott Act. I am opposed to that amendment. I think that Act was passed as a concession to the temperance people of this country, and should not be repealed. I repeat that that Act was given to the temperance people as a concession, and they should be satisfied with it until the people of the country at large have manifestly exhibited their wishes

in favor of a prohibitory law by petitions sent to this House in a manner so as to convince the House that they want such a measure. But I do not believe the people of this country desire such a law; on the contrary, a large majority of the people are opposed to such an enactment. The State of Maine has been quoted, and the House is aware that a prohibitory law has existed there for the last thirty years. But everything has not been said about the State of Maine. There drug store-keepers are licensed to sell liquor on certain conditions. If, however, you go there you will find that they sell to every one who wants liquor. The only difference, therefore, is that the druggist sells at very high prices and is able to acquire a fortune in a shorter time than elsewhere. Go to Vermont and observe the state of things there. I went there last year with a party of excursionists. I had not been in the hotel more than a half an hour when a person came to me and said in a whisper: "There is more than ice water to be had here." I went round to another part of the house, and off the vestibule there was a large room completely filled with barrels and bottles containing liquor of all kinds. I went to two places in Vermont, and I found the same state of things at every place. These facts show that a prohibitory law does not prevent the sale of liquor, it may limit it perhaps; but it certainly affords the means for druggists and others to make comfortable fortunes in a short time. I will conclude my remarks as I commenced them. I think temperance is a virtue, and that the best means to inculcate, promote and encourage that practice is moral suasion. It is, of course, said that drunkenness is a vice, and that means should be resorted to for prohibiting it. We have the ordinary laws of the country, which deal with any kind of disorder. But some people would like to remove what they call the cause of drunkenness—to remove all alcoholic liquors. Those people should not forget that there are other vices prevailing in the community, perhaps of a worse character than drunkenness, and prevailing on a large scale. But I suppose that, if they should propose to remove the cause, they would not find it an easy task. The ordinary laws of the country, which have been passed to prevent and repress disorder, should undoubtedly be put in force, and, if the laws are not sufficiently stringent, they should be made more strict in order to be effective; but do not expect to make the people sober by Act of Parliament.

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

After Recess.

Mr. McMULLEN. I desire to offer some remarks on the motion moved by the hon. member for Lanark (Mr. Jamieson), as I do not desire to record a silent vote on this very important question. The question of prohibition is one which has been discussed in the country at considerable length, and I think it is but right that this House should give an expression of opinion upon that issue. I am sorry to say that the Scott Act has not given entire satisfaction in the county from which I come, but as the people have the power in their own hands, and if they are so disposed, can rescind the Act at the expiration of three years, I do not think it would be wise on my part to vote for the repeal of the Act; and I question the wisdom of any hon. member of this House, coming from a constituency where the Scott Act is in force, voting in favor of rescinding that Act. If the Act itself did not provide for its being rescinded by the vote of the people, I might possibly, under circumstances such as exist at the present time in my own county, be induced to vote for its being rescinded. I notice that the county council of my county, who have just adjourned a day or two ago, passed a resolution in favor of rescinding the Scott Act, by a vote of 21 to 16; but as the municipal elections last year were not held on the question

of temperance, or on the Scott Act, I cannot allow myself to be guided in this matter by the expression of our county council. When a majority of the people express their views in favor of the Scott Act, I felt it my duty to follow the course indicated by my constituency, or else resign. I am sorry to admit that the Act has not given entire satisfaction. There are many reasons why it has not been entirely satisfactory. In the first place, it is very hard to get a man who is disposed to go around the country and take the necessary steps in order to secure prosecutions. There are very few who are willing to give evidence which will enable a police magistrate to impose fines, and I should be glad indeed to see some amended provisions to the Scott Act. I believe it is wrong that the hotel-keeper should be the only party fined. I know that in sections where the Scott Act is in force there are many men who voted for that measure, but who, I have no doubt, will afterwards go to the hotel-keepers and try to induce them to break the law. That is a deplorable condition of things, and I think the Act should be amended so that fines should be imposed on the man who buys the liquor as well as on the man who sells it, for I believe such an amendment would deter a great many of such people from buying liquor, and thereby inducing hotel-keepers to break the law. But my reason for voting for prohibition is simply this, that I do not believe we can ever rid ourselves of the abuse of spirituous liquors as long as we sanction its manufacture and importation. If it is an evil that we really want to get rid of, I do not believe we can get rid of it by the system of local option we have at the present moment. I do not believe the Scott Act is going to accomplish what we expected it would accomplish, and I should like to see the people of the Dominion permitted by a plebiscite to dispose of the whole question of whether they are prepared for prohibition or not. I think the people are the proper parties to apply to in such a matter, and it is for them to say whether they are prepared for prohibition or not. I do not think any system of prohibition will ever be brought into force in this country unless the people declare in favor of prohibition, and I am willing to give them an opportunity of doing so. I would prefer prohibition to the Scott Act, simply because I think the Scott Act has not accomplished what was expected, but in the meantime I cannot bring myself to vote for the repeal of the Scott Act, in face of my constituency having adopted it. I notice that the hon. gentleman who brought in the resolution gave notice, as early as the 23rd of April, of an amendment to the Scott Act, but that Bill has never been read yet. I think if he was honestly sincere in bringing in that amendment he should have had it at a more advanced stage than it is in now, at this period of the Session. There are some provisions of that amendment which I think are very good, and some which are objectionable; but I think it is our duty, as long as the people are in favor of the Scott Act, to give every facility to enforce it. The Scott Act works better in some municipalities than it does in others, but just because it may not work so well in my own county as it may in others, I have no desire to deprive other counties of its provisions. In those counties where it has been the means of doing good and suppressing the use of intoxicating liquors, it has undoubtedly been an advantage, but if we voted here to repeal it we would be depriving the people of those counties of the advantages they have secured under the Act. I should like to have heard the leader of the Government say something on this important question. I think it is a question which deserves, at least, some expression of opinion from the leader of the Government. We have heard some views expressed by the temperance member of the Cabinet, but at the same time we all fully understand the position he occupies in the Cabinet—that he speaks only for himself. He is not the leader of the Government, and, consequently, his opinions

MR. McMULLEN.

and views are only the opinions and views of the Minister of Marine and Fisheries and not of the Cabinet. I would like to hear the leader of the Government give the House some explanations as to the position the Government occupies on this question. I hope they will not divide up into twos and threes, the same as they did on some other questions in this House. I do consider this a very important question; it is one which the people of this country have taken up, and it has no doubt received very careful consideration at the hands of a large circle of the people of this Dominion. But when a question reaches that point which shows that the people of the country are sincerely anxious with regard to it, when the several religious denominations have taken it up, and the several important bodies which are advocating temperance measures in this country are taking it up, I think in such a case the leader of the Government should express some opinion as to the course of the Government upon it. I expected that the leader of the Government would have spoken to-day, after the question had been called three times, when I expected every moment that the members would be brought in to record their votes, but though the leader of the Government was in the House he did not rise to express his views. I hope we will have the advantage of his advice. I am sure the people are looking forward to his expressing an opinion on this question, and I feel sure that they will not be satisfied without his getting up and manfully expressing his views on this important question. Now, I do not wish to detain this House any further. I desired to give the reasons why I shall vote as I intend to do. I shall undoubtedly vote for the motion of the hon. member for Lanark (Mr. Jamieson) in favor of prohibition, believing that it is much better than the Scott Act, and believing that we shall never accomplish what we expect to accomplish unless we get prohibition. I shall not vote to repeal the Scott Act, simply because my county has not done so. When my county votes to repeal the Scott Act, it will be time enough for me to alter my views on that question and vote against the Scott Act, but not till then.

MR. McNEILL. If we have not had the benefit of the views of the right hon. leader of the Government on this question, we have had, at all events, the next best thing: we have had the benefit of the views of the hon. member for North Wellington (Mr. McMullen) the present leader of the Opposition. I had not intended to say anything on this question, and, as it is, I shall not occupy the time of the House more than a very few moments; but, in the present condition of things, I do not feel that I can give a silent vote on this subject. In the first place, I feel that it is almost incumbent upon me to say a word or two in defence of some statements made by my hon. friend from the east riding of Bruce (Mr. Cargill). My hon. friend has given the House, in a very practical, and, I think, very interesting way, the benefit of facts in regard to this matter which he could himself vouch for as having fallen under his own observation; and I do venture to say that if there be any one thing more than another in connection with this question which we in this House and the public require, it is reliable, well-authenticated facts, and that is what my hon. friend from East Bruce gave us. My hon. friend told us that he had been a strong advocate of the Scott Act. He gave us his reasons for that, and he gave us the reasons why he had come to the conclusion that in advocating the Scott Act he had made a mistake, and why he now asked this House to repeal that Act. Those, I think, were valuable statements on the part of my hon. friend; but scarcely had he resumed his seat when my hon. friend the Minister of Marine and Fisheries rose in his place and poured a regular broadside into my hon. friend from East Bruce. We know very well that the Minister of Fisheries and those who agree with him in his

views on this question have been heretofore the principal exponents of facts in connection with this matter in this House, and we know that the hon. Minister of Fisheries does not like to have poachers upon his preserves. I for my part do not blame him for that, as I believe most true Canadians will say so, that so long as he pegs away at the poachers, may his shadow never grow less. But I confess that when I heard some of the blood-curdling threats hurled across the floor of the House by an hon. member a little pugilistic in his proclivities, and coming from a constituency that we were told, on the authority of the hon. Minister of Customs, was a rather combative and pugilistic constituency—when I heard those threats hurled across the House at my hon. friend, I began to be afraid that peace with honor, in so far as it concerned those important matters which were under the charge of my friend, was beginning to look a little fishy. At all events, I thought those of us who looked towards my hon. friend for a supply of fry for our inland waters might soon find ourselves in a considerable stew. At least, it would seem that all the fat was in the fire. Now, Mr. Speaker, I do think that a more unfortunate ending of our dispute with our neighbors to the south, with reference to our fisheries, could scarcely be imagined than that my hon. friend the Minister of Fisheries should fall a victim to the vengeance of hon. gentlemen opposite. In fact, I think he will bear me out in the statement that so impressed was I with his danger, that I suggested to him at the time the advisability of his having a body-guard provided for his defence. We all know that hon. gentlemen opposite have been making a dead set at my hon. friend for some time past; but I most sincerely hope, for the sake of our fry, for the sake of our fish, and for the sake of our fame, that they will not press their persecution to such a tragical conclusion as seemed to be threatened the other night; for if the policy of hon. gentlemen opposite on the fishery question is the assassination of the hon. Minister of Fisheries, I venture to say that the people of the Dominion will not altogether approve of their policy. But while I approve very much indeed of my hon. friend protecting the premises under his control from poachers, I do not at all believe in his pouring broadsides into friendly fishermen in the prosecution of their daily calling. My hon. friend from East Bruce had, in the course of his researches with reference to the Canada Temperance Act, fished for us some very interesting and important facts; but no sooner were those facts in place before the House than the hon. Minister of Fisheries began to carp at them. I think this was really rather two hard upon my hon. friend. My hon. friend had told us very frankly that before the establishment of a tavern in the village of Cargill he had not been troubled with drunkenness in that village, and he has told us further that after the population of the village of Cargill had so increased that it was necessary to provide a place of public refreshment, he was troubled with drunkenness among his people. Thereupon my hon. friend the Minister of Fisheries seized upon this statement, and proceeded to argue that this was the most absolute proof that my hon. friend from East Bruce should be more than ever a supporter of the Scott Act, because, he said, so long as there was no opportunity for drinking there was no drinking, but so soon as the opportunity for drinking was afforded, drunkenness commenced. Well, that is just what I understood to be the very reason which influenced my hon. friend in supporting the Scott Act in the first instance. I do not think that it is a proposition that requires very much argument to establish, that where there is no opportunity for drinking, no drinking will take place. That, I think, is a pretty plain proposition. But what my hon. friend from East Bruce (Mr. Cargill) said was this, that after the Scott Act had been introduced, he found, very much to his surprise, that the opportunities for drinking had not been removed; that drinking still continued in spite of and in defiance of the law of the land, and that the condition

of Bruce county, after the introduction of the Scott Act, was worse than its condition in respect of drinking before the introduction of the Act. He went further, and said that the introduction of the Scott Act had not decreased, but, on the contrary, had very much increased the opportunities for drinking. Well, then, an hon. gentleman opposite started up, and said that the reason why the Scott Act had not been successful in the east riding of Bruce, was because the people of that riding being largely German and of German extraction, were not in sympathy with the Act. Now, I believe that is very likely to be the case. I believe that unless there be an overwhelming majority of the people in any district in which the Act is introduced, in sympathy with the Act, and not only in sympathy, but enthusiastically in sympathy with it, the Act can never be enforced. Then comes the question: If you have such a majority of the people in sympathy, and enthusiastically in sympathy with the Act, in any given locality, is there any need in that locality for the Act at all? But the hon. gentleman who, on the opposite side of the House, attacked my hon. friend from East Bruce, went further, and said my hon. friend had no right to speak with regard to the county of Bruce, but only with regard to that riding which he himself represented. I venture to inform the hon. gentleman that in that statement he is altogether mistaken, for my hon. friend is very frequently in the north riding of Bruce, and has a good opportunity of judging the action of the Scott Act in that riding. I can substantiate what he said with regard to the effect of that Act in the north riding of Bruce itself. I do not think it comes altogether in very good taste from an hon. member of this House to call in question a statement as to fact of another hon. member, who is in a position to judge more accurately as to the facts than is the hon. gentleman who criticises his utterances. So far as I am concerned, I feel it to be my duty on this occasion to say distinctly that the simple, unadulterated, unexaggerated truth is that, so far as the county of Bruce is concerned, the Scott Act has been an utter and lamentable failure. I entirely endorse what my hon. friend has said in reference to that matter. Whether the appointing of a police magistrate or of other officers might have the effect of making that Act more effective, I am not prepared to say, but I am prepared to say that for so far, and carried out as it has been, the Act is a complete dead letter in the county of Bruce. It is even worse. I may just instance the village of Wiarton, near which I live myself. In that village there were, before the passing of the Scott Act, some four or five places where intoxicating liquor could be purchased, but only last winter I was informed by several people, on whose statement I could thoroughly rely, and some of whom had been supporters of the Act, that there were now, not four or five, but over twenty places where intoxicating liquor is sold in the village of Wiarton. Notwithstanding this, I am unable to support the resolution of my hon. friend or any of the motions at present before the House—either the main motion itself or either of the motions in amendment; and for this reason: because those resolutions, if we give effect to them, will interfere with the right which we have declared that the people possess in reference to these matters, the right, namely, that the people should be consulted directly as to legislation of this sort. This House has come to the conclusion that it is a somewhat serious thing to decree what the people shall be precluded from eating or drinking; and this House has, for years passed, proceeded upon the principle that it shall be left to the people themselves, to decide, by direct vote, whether or not they will have further restrictive legislation with reference to the selling of intoxicating liquor. Now, it may be very well open to question whether that course was a wise course or not; but, so long as the principle has been ac-

cepted, so long as it has been acted upon for many years, and so long as the people have taken advantage largely of the powers thus conferred upon them, I cannot see my way, by supporting this main resolution, to take from the people that right which we have said they ought to possess, and thus run the risk of forcing upon the people prohibitive legislation against their will. For precisely the same reason, I cannot support the amendment of my hon. friend, which would repeal the Act which the people have themselves adopted by virtue of this very same right that we have conferred upon them, and upon which, in my own county, they will have an opportunity of voting in the course of this year, and upon which, I believe, in every county in the Province of Ontario in which the Act is in force, the people will have an opportunity of voting next year. So far as the proposition of my hon. friend for Jacques Cartier (Mr. Girouard) is concerned, proceeding upon the same principle, I am prepared to treat it just as I would treat the resolution as to prohibition. I am prepared to support a motion, leaving that question as to light wines and beer to be decided by direct vote of the people, and I am prepared to support a resolution leaving the question of prohibition to be decided upon by a direct vote of the people. This, so far as my light goes, is the only logical position we can assume, situated as we are, with reference to this question, unless we are prepared to take from the people that liberty in reference to these matters which we have conferred upon them, and, so far as I am concerned, I do not see my way to doing that.

Mr. McMILLAN (Huron). The Scott Act was adopted by the large majority of 1,600 in the county of Huron. I agree with the principle that the people should be in strong sympathy with the Act before they carry it out, and the vote cast by the ratepayers of the county of Huron showed they were in strong sympathy with the Act. There is, however, another necessity, and unless that other necessity is fulfilled, it is utterly impossible for the Act to be enforced. And that is that all the officials who should be appointed to carry out the Act should be strongly in sympathy with it. One reason why I have risen is to show that the officials we had in the county of Huron were not in sympathy with the Act, but were opposed to its being carried out. At the time the Scott Act came into force in the county of Huron, there was a Bill brought into the Senate called the Wine and Beer License Act. It was passed by the Senate, was sent to this Chamber, was amended here, was sent back to the Senate, was sent back to the House of Commons, and back to the Senate again. The people in the county of Huron felt that as long as this matter was not determined, the Scott Act was a dead letter and could not be carried out. At the June meeting of the county council a motion was carried asking the warden and clerk to memorialise the Lieutenant Governor to appoint a police magistrate for the county of Huron, provided that the wine and beer clauses were not passed. But the warden was so bitterly opposed to the Scott Act that he put his veto upon that action of the county council of Huron and did not send the requisition to the Lieutenant Governor. In fact, he did everything possible to prevent the Scott Act being enforced in the county of Huron. He was also one of the commissioners appointed to carry out the Act, and twelve months ago a deputation of the Scott Act people went before the county council and asked them to appoint a police magistrate. Two of the commissioners and the inspector for the west riding of Huron appeared also before the county council in opposition to the appointment of a police magistrate. A discussion took place which showed that in five of the first cases which were taken to the inspector for him to accept an information, he refused to take an information or to have anything to do with the cases; private individuals took those five cases up and

Mr. McNEILL.

lodged the information before an ordinary justice of the peace; the cases were tried, and out of the five cases three convictions were secured. This showed that the officials in office in the county of Huron were not in sympathy with the Act, and were determined, as far as their action went, to make it a failure. I have no doubt that the action taken by them in that county was taken by the officials generally under the McCarthy Act and under the Scott Act where it was passed. This is one of the reasons why the Scott Act has not been successful in the county of Huron. For the first two months after it became the law of the land, you could go into almost any hotel in the county of Huron and could not get intoxicating liquor until it was found out that the officials winked at the violation of the law. The Scott Act has never had a fair opportunity, and it is only at the present time being put into proper working since the Local Government has taken it in hand to enforce; and in two of the ridings of Huron it is as well enforced as any law which is on the Statute-book. The people give the Scott Act a strong support. The people wish to have an opportunity to fully try it, and I say, without fear of successful contradiction—or at least this is my belief—that the Government which rules in this House of Commons has done everything possible to make that Act a dead letter by appointing officials all over the country who were not in sympathy with that Act. No Government that appoints officials who are opposed to any Act does justice to the people of any country over which they preside. With reference to the amendment in regard to wine and beer, the action of the county council of Huron, in instructing the warden and clerk to memorialise the Lieutenant Governor in the event of that provision not becoming law, shows that they believe that, if such a law was enacted, the Scott Act would be a dead letter. So I believe, and therefore, I cannot vote for that amendment to the main motion. With respect to prohibition, a great many throughout the length and breadth of the land believe that, if the Scott Act is passed in two or three counties, and there is one county in the centre in which it is not passed, it cannot be enforced, as the county in which it does not exist can make it a dead letter in the others. Some say that prohibition is an infringement of private right. We cannot live in a civilised community without certain private rights being infringed upon. In an uncivilised state, a man roams over the length and breadth of the land at pleasure, but in a civilised community he cannot trespass upon his neighbor's land. In a civilised community you cannot indecently expose your person without violating the laws of the land, and it becomes the duty of the Government—

Some hon. MEMBERS. Oh.

Mr. McMILLAN (Huron). Hon. gentlemen may laugh, but I will make this observation, that they pass laws to punish those who do not properly support their wives and families, those who become drunk and disorderly, and, if it is right for the Government to pass such laws, as it certainly is, it cannot be beyond their duty to pass a law to prevent that which causes men to violate such laws more than all other causes put together. As to infringing upon private rights, a Government has a right to enact such provisions against members of a community as the moral sense of the the best members of the community wish to place upon themselves. I have never met a single individual who said he was sorry that he had not drunk more liquor or had not caused the community to drink more liquor to demoralise themselves; but, when men get more advanced in life, and take a backward view of their actions, there is not a well constituted mind in the country but considers that he has a duty to perform to the country of his adoption or birth, and that is to do everything he can to forward the morality and the industry of the people; and I say that there is no element which does so much to cause idleness and to do

away with the fruits of industry as intoxicating liquor. As to the amount of revenue which we receive from intoxicating liquors—\$6,000,000 will cover the whole amount, I think—the question is often asked what will Canada do as far as revenue is concerned if we pass a prohibitory law. Well, at the present time, as I understand, the drink bill of Canada is about \$27,000,000. Some put it as high as \$33,000,000. Provided that amount of money was not spent upon liquor, a great amount of it would go to purchase dutiable goods, which would be of more benefit to the community, and the money invested in that traffic would be invested in lines of trade not so injurious to the country as the liquor traffic. Taking all that into consideration, I cannot but vote for the main motion of the hon. member for North Lanark (Mr. Jamieson), considering that, when I do that, I vote for a measure in the interests of the people of the Dominion of Canada.

Mr. ARMSTRONG. I am not at a loss how to vote in this case. We have three distinct propositions before the House. The first is a motion of the hon. member for North Lanark (Mr. Jamieson) in favor of prohibition; the next is the amendment to the Scott Act by allowing the sale of wine and beer in Scott Act counties; the third is an amendment to repeal the Scott Act altogether. Now, with regard to the amendment to the amendment, I, for one, cannot support it. The people in these constituencies have voted for that measure, and they have a right to a fair trial of it, besides I do not believe it is in the interest of those opposed to prohibitory law that this Act should be repealed. Why, Sir, if you repeal it now, you put the most powerful weapon possible in the hands of those who are in favor of the Act, because you would give them a chance to say truly that the Act never had a fair trial, that if they had had more time they could have made it a success. Having adopted this Act, I think they have a right to a fair trial to see whether they can make it successful or not. I am one of those who look upon the Scott Act as a mere tentative measure, merely an experiment, in order to see whether the country is ready for prohibition, and I believe that the ultimate object of those who support the Scott Act, is the total prohibition of the traffic. Then with regard to the amendment itself, which is to allow the sale of wine and beer, I take the same objection to it. People have adopted the Scott Act pure and simple, they have adopted it as it stands on the Statute-book, and we have no right to step in now and mutilate it, and change it from what it was when they adopted it. On one hand we have been told that the Scott Act is a success, on the other hand we have heard it was not a success, that it is a total failure. The hon. member for West Lambton (Mr. Lister) for whose judgment and intelligence I have the most profound respect, says that it is just as easy to carry out the Scott Act as it is to carry out any other penal law. Now, I submit that reason and fact are both opposed to that ground. There is no parallel between the two cases, there is no resemblance between them. In the case of offences against the criminal law, such for example, as violations of the law against theft, violations of the law against murders, or against perjury, and so on, the universal common feeling of the community is in favor of those laws. Even the criminal standing at the bar to receive sentence for stealing, never for a moment thinks of questioning the justice of the law under which he has been condemned. But with reference to a prohibitory law, the case is entirely different. Let me draw the attention of the House for a moment to the elements of society which you have to take into account in estimating the results of a law of that description and its chances of success. First of all, there is a pretty large section of the community who are what we call teetotalers from principle, men who, on principle, abstain from the use of intoxicating drinks alto-

gether, and who are anxious to have their friends and neighbors do the same thing. Now, I submit, that if a large majority of the community were of that opinion and practice, it would be a very simple matter to carry out a prohibitory law, and, if the great mass of the people were of that practice, a prohibitory law would not be needed, the people would be a law to themselves. But, unfortunately for the law, that class is not by any means in the majority. I speak advisedly, judging from my own observation and from information, when I say that those who abstain strictly from the use of intoxicating liquor, and who can be depended upon to help carry out a law of that description, are not by any means in a majority, and how is it with the rest of the community? You have behind them a very large class of good, honest people, who believe it is no harm to take a little intoxicating liquor, but who will vote for a prohibitory law simply because they have some friends, some acquaintances, or, it may be, members of their own family, about whom they are anxious; and above all they want to be on the right side of a moral question. All these men will vote for a prohibitory law, but they vote to prohibit other people, not themselves. They have no intention of prohibiting themselves; they intend to take a drink, if they desire to do so, when they can get it; and I am a little afraid that sometimes, when the law has been passed, some of them do not scruple to violate it in order to get a drink. You cannot expect any very strenuous support of a prohibitory law from that class of people. Then you have a further large class who do not believe in prohibitory legislation at all. They hold that it is an infringement of their rights as individuals to dictate to them what they shall drink or what they shall not drink; and when you endeavor to carry out the law you have the active and energetic opposition of all this class. And then, super-added to these, you have a large class whose property has been depreciated or, perhaps, ruined by the introduction of the law; whose occupation has been taken away from them, and who have been nearly ruined by it; and you have their active opposition and their bitter enmity to contend with in carrying out a law of that description. When you take these elements into consideration, you can see at once that there is no parallel between a prohibitory law and other penal laws. Now, Sir, so far as regards the motion before the House, I must say that I cannot support it in its present shape. I say, and I state it advisedly, that I believe that it would perpetrate a great injustice to a large, respectable and deserving portion of the community, and I hold that any prohibitory measure, to be of any use, must be total, it must suppress the manufacture and sale of the traffic in intoxicating drinks. And I submit that we cannot do that without interfering with private property, without ruining them in their property and business, and before you do that you must provide some means for a fair compensation for the injury you have done them. That is the ground I take, and no measure that does not provide for that, can I in justice support. Why, Sir, how stands the matter? For ages, ever since we have had a popular government at all, we have been telling these men that this is a legitimate traffic, we have been telling them, by our legislation, that if they choose to invest their money in that form of property, and to pay a certain revenue to the Government, they would be allowed to pursue that traffic unmolested. Have we any right to turn round now and confiscate their property that we have encouraged them to invest in? So, Sir, I cannot vote for any measure to destroy their property without giving adequate compensation. I know that it is objected, that sometimes the same thing is done by limiting the number of those who are allowed to sell, but I submit that is not done in this House. That is a matter of municipal legislation; the municipalities have a right to do it, but this House has no right to legislate in that direction, and

we are not obliged to be guided in our legislation by these municipalities. If they do what is wrong, that is no reason why this House should follow their example. Again, with regard to the observation made that those engaged in the trade are not entitled to compensation because of the evils inflicted on society; I have heard it stated on many platforms that those men had done wrong to society and are not entitled to compensation. I submit that you can never make an act right by doing a wrong, you never can rectify a wrong by doing another. Those men have been encouraged to invest their means in that business by the legislation of ages past, and we have no right to come down upon them now and confiscate their property. Look at the immense sums invested in the manufacture of intoxicating liquor throughout this country. Men have invested all their means, they may be in debt; if you pass a law of that kind you destroy totally the value of their plant, you reduce the value of their buildings to a minimum, because in most cases they are not fit for anything else. Then in regard to the retail traffic, by hotel-keepers for instance. I know cases where men, encouraged by the laws of the country, have invested in valuable property, have paid a part of the amount and are in debt for the rest. If Parliament passes a prohibitory law without granting compensation it will destroy their interest in that capital and make beggars of them. Have we a right to do that? I say we have not. It is said that those men have had sufficient warning. I reply that the warning has been the other way. It is over thirty years since the first attempt was made to pass prohibitory legislation, and although those years have rolled away, yet only one state, the State of Maine, has made anything like a success of the attempt at total prohibition, and they have not succeeded in it, because I have been told by the best and strongest authority that it is not a complete success even there. The experience is that legislation has been all the other way, as going to show that the business is likely to be permanent. I have said that a measure of that kind was unjust for it would deprive men of their property without giving any compensation, and it is a measure for which I cannot vote. I believe in the good old rule, and I believe in the authority of him who laid down the rule that: "Whatsoever ye would that men should do unto you, do ye even so unto them." I believe we, as legislators, are bound by that rule; I believe it is our duty to legislate in accordance with it, and believing such to be the case I cannot support such injustice as would be perpetrated by a measure such as that proposed, unless the remedy is also provided.

Mr. PORTER. I will not detain the House at any length by the remarks I am about to offer; but I desire to say that this debate has developed at least one or two points that are quite distinct and clear. One of those points is, that several hon. gentlemen opposite rose specially for the purpose of finding fault with the Government for their action in regard to the temperance question and the Scott Act. The principal point which could be discovered in some of the speeches was an intentional desire to find fault with the Government for their action in this matter. The hon. member for South Huron (Mr. McMILLAN) even travelled out of his way to assail the Government for acts for which the Government were not at all responsible. He told the House that the Scott Act was neutralised in its action, was weakened in its effect by the acts of certain officials of that county, officials with whom the Dominion Government had nothing at all to do. I wish to ask that hon. gentleman what the Dominion Government had to do with the appointment of the warden of Huron, with the appointment of magistrates and police and license inspectors?

Mr. McMILLAN (Huron). I would ask the hon gentleman—

Several hon. MEMBERS. Order, order.

Mr. McMILLAN. I rise to a point of order.

Mr. ARMSTRONG.

Several hon. MEMBERS. Order, order.

Mr. McMILLAN. I say that the inspector of West Huron was appointed by the Government—he was the inspector under the Scott Act.

Mr. SPEAKER. That is not a point of order.

Mr. McMILLAN. I want to make an explanation.

Some hon. MEMBERS. Order, order.

Mr. PORTER. The Dominion Government had nothing to do with his appointment. Hon. gentlemen opposite attempt to make political capital out of every subject discussed in this House. I protest against such a course. This question is a great national question, and should be discussed as such. It is one to which we should give our best attention; and why cannot hon. gentlemen, for a single moment, forget their partisanship and discuss it on its own merits? I will not endeavor to discuss the nature of the principles involved in the resolution of the hon. member for Lanark (Mr. Jamieson). I think, from the speeches delivered, it is manifest that hon. members, with very few exceptions, assent to the principle involved in it, that is that total abstinence would be best for all. The other question before us is as to the advisability of the present House enacting some prohibitory legislation that would prevent the manufacture, importation and sale of liquor, so that it might not be used as a beverage in this country at all; and it is to that point I will very shortly direct the attention of the House, and give the reasons for the vote I am about to give. On this question hon. gentlemen have put forward two distinct propositions; the first is that this Parliament has a right to enact the law; the second proposition is that this is a good law. I will say this much, that it would certainly be a good law if the circumstances of the case were such as to warrant it. A good law is one which not only contains a great and a right principle in itself, but is one which commands the concurrent testimony and support of all the people. If the principle which may be created into a law does not fulfil those conditions, then we as legislators of this great Dominion should consider and weigh very clearly and closely the reasons that should animate us in our actions, and we should also consider how we should vote upon such an important matter. The first proposition I grant. I believe total abstinence is best for all men; I believe the nation would be greatly advanced in its moral and material welfare if total abstinence were practiced by all men. I believe still further, that the time is rapidly coming when that principle will prevail and that practice will be common, and when a law such as that proposed would scarcely be any more necessary than any other law on the Statute-book, simply to punish a few that offend against the many. But as to the other proposition, would it be wise in us to pass a law which had not the concurrent testimony and support from outside of the whole of the people? That proposition has been denied in the House by the testimony of almost every member who has spoken. Scarcely a single member has risen to speak on this subject but he has distinctly told the House that partial prohibition is a failure. Some have said that this arose from one thing, some that it arose from another and some that the fault is due to the Government. Some say the Government is the cause of it; others say that it is owing to the indifference of the people in supporting the law, but if there is one thing clearer than another, if there is one thing proved more distinctly than another, it is that this local option, this partial prohibition, is undoubtedly a failure. If that be the case, then how can the best friends of temperance ask us to enact a measure which will include the whole Dominion? But it is said that the number of voters who have cast their ballots in favor of this Act is so large, is so much superior in every county to those who have voted against it, that this is a certain, and perfect, and unmistakable proof that the people

are in favor of the Act. It is said that out of twenty-six men, sixteen have voted for the law, and ten have voted against it. I contend that that is not a sufficient measure of support to warrant any Government in passing a law which shall make it obligatory on all, because, out of these sixteen men, how many have, perhaps, voted—not that they have been convinced, as the hon. gentleman who has just taken his seat has said—that it is wrong to take a glass of liquor; not that they have been convinced that a glass of wine or beer would be injurious to themselves, but that out of their sympathy, out of their feelings of humanity, they have voted in this manner for the benefit of others. Well, that is an intelligible motive and one that does them credit. But here is where an error creeps in, for it is said that these people believe that what is good for others is not good for themselves, and, therefore, that they are not sincere; that they wish others to restrain while they do not restrain themselves. And I contend that this respectable minority of ten out of twenty-six is sufficiently large to cause any Government of a free country to pause before they should apply the whips and scourges of the law to make that minority obey. There is no doubt that we are passing away, certainly, from the principles and actions of a free Government, because we are making but a very small majority, in a most material matter, rule over a very distinct and considerable minority. I think also that it is true, Sir, that this measure would be better observed if the means which were taken to obtain the sixteen out of the twenty-six were still carried on. How has the temperance cause been advanced heretofore? It has been advanced by the principles of moral suasion. How have those who are now total abstainers and supporters of a prohibitory law been made so? Has it been by legal enactment? By the coercion of the law? No; it has been by moral suasion, by their observation and conviction, by the education of the press, the pulpit and the platform; and I contend that, if these measures are still persevered in and these means still used, the same results will follow; and not only so, but that an increased measure of success will certainly follow, and that which we all desire, the total abstinence of our people, will be the sure and inevitable consequence. But, suppose the Government proposed to coerce this minority, what would be the consequence? Allow me to state what was said to me by a certain gentleman in the town of Clinton, a man who is well known for his temperance advocacy and his strong, consistent temperance principles, a member of the Methodist Church. In the Local election for South Huron there were two candidates, one of whom was known to be a temperance candidate, a most consistent advocate of temperance principles all his life, a member of the Church, and a respectable member of society, while the other candidate was not known as a temperance advocate. The gentleman who was a temperance man was brought out clearly and distinctly as a temperance candidate, and what was the result of that election? The result was that his opponent had three times the majority against him that was polled by the candidate at the previous election. We were talking about this, and the gentleman to whom I have referred, said: "I am sorry indeed that this has occurred, because it will undoubtedly put back the cause of temperance in this county for twenty years." Let me say further, that if the Government were to attempt the coercion of such a respectable minority by this majority, the consequences to temperance, sobriety and the observance of the law in every place, would be most fatal and disastrous. With reference to the Scott Act, the repeal of the Scott Act, and the advocacy of wine and beer licenses, I desire to say what has been said by other gentlemen in this House that the Scott Act being in force in the county, part of which I have the honor to represent, I would not consider that I was doing my duty if I took from the people the power which

the law has placed in their hands. They have the right to repeal it if they do not desire it to remain in force, and in this case, if the sentiment of the people is not in favor of the law, then they may by their own action repeal it. Still further, I regard the Scott Act as tentative and educational. I believe it is an experiment; I believe it has an educational effect, and that if the people still continue to discuss and debate with reference to the Scott Act, and all the concomitants of that measure, it will have a most beneficial effect on the public mind; and will hasten that day which I hope to see, when all men will voluntarily abstain from intoxicating liquors. I shall, therefore, vote against the repeal of the Scott Act, and I shall also, most decidedly, vote against the granting of licenses for the sale of wine and beer.

Mr. MILLS (Annapolis). I desire to say a few words on this question—

Mr. McMILLAN (Huron). I desire to make an explanation.

Some hon. MEMBERS. Order, order.

Sir RICHARD CARTWRIGHT. My hon. friend might surely be permitted to make an explanation, but if there is any objection I will move the adjournment of the House.

Mr. McMILLAN (Huron). When I spoke of the warden he was an officer—

Some hon. MEMBERS. Order, order.

Mr. SPEAKER. The hon. gentleman has a right to make a personal explanation, and I think the House will not refuse him that right. But I warn him to restrict his remarks simply to an explanation, and not to enter upon any general discussion of the matter before the House.

Mr. McMILLAN (Huron). I wish only to explain that the warden was the license commissioner appointed by this Government, and that he was one of a deputation that came before the council, after he ceased to be warden, to prevent, as far as possible, the council from appointing a police magistrate. I said that the inspector came before the council to do everything he could to prevent them from appointing a police magistrate, and he refused to take an information on five different cases when brought before him, and when those cases were taken before a private magistrate, who took the information, he secured three convictions. I said that they were officials of this Government at that time.

Mr. MILLS (Annapolis). I shall follow the usual line adopted by hon. members, by promising not to make a long speech on this subject, simply because the most of us desire to be at our homes this hot weather, and I think we should not be kept here any longer than is absolutely necessary. Still, notwithstanding this desire which animates myself, in common with other members, I cannot see this vote taken on this important question without, at all events, giving a reason for the way in which I shall vote myself. I will commence by laying down this proposition: that I believe that if a resolution were to be proposed this evening to this effect: Resolved, that intemperance or drunkenness is an evil, I do not believe there is a single individual in this House who would vote against that. At all events, we have not heard one, except a few "noes" that we heard when the hon. member for Queen's, N.S. (Mr. Freeman) was speaking the other afternoon of the evils of intemperance. Now, if we lay that down as a premise, I will endeavor to give my reasons for the vote I shall give upon the question now before us. The first is the amendment to the amendment. In effect, it is, shall the Scott Act be repealed? Some have this evening, and the other afternoon, given as a reason why they think the Scott Act should be repealed, simply that it does not work. I doubt very much whether, in all those counties

throughout the length and breadth of the Dominion where the people resolved that the Scott Act should be tried, the Act was enforced to the fullest extent, or to any great extent at all. I speak what I know; I speak from my experience in the county I have the honor to represent, the county of Annapolis. That county passed the Scott Act with a large majority very shortly after it became law. Perhaps the hon. member for North Essex (Mr. Patterson) will say that because that majority consisted of only about two-thirds of the voters in the county, it could not be taken as an expression of the will of the people of that county. I differ from that view entirely. If that proposition is true, then I say that the hon. gentlemen who are in the House of Commons to-day, are not the men who should be here to represent their respective counties. I have not looked into the matter thoroughly, but I am quite convinced that very few of the members of this House received the majority of the votes in their respective constituencies. Even in the cases of those who have large majorities running up to 1,200 or 1,300, I doubt very much whether they have the majority of the votes of the electors in their counties. Therefore, I say that where large majorities were rolled up on the Scott Act, they did of necessity speak the mind of the people; and in the county of Annapolis the mind of the people was expressed very decidedly and emphatically in favor of the Scott Act. As soon as the Scott Act came into operation, it was enforced; there were fines here, there and everywhere, against rum sellers. To be sure, they had a great deal of trouble in prosecuting the liquor dealers, but they did prosecute them; they did fine them; they did shut up their shops. I remember the time when I could count 21 small rum shops in the town of Annapolis. To-day, go there and you can hardly find four, and those four, if they are selling at all, are selling in the back corners of their premises, into which they have been driven. And since I left my county, I hear that the Scott Act is being enforced as it never was before, and that even some of those four shops are now shut up, so that the Scott Act has, in effect, cornered the liquor traffic in the county of Annapolis. It went even so far in that county that the municipal council took it up. The last election of the municipal councillors was run, to a large extent, on the question, whether the rum sellers should be prosecuted or not, and whether an inspector should be appointed to prosecute them; and the very first resolution passed in the council after the election was that the money of the county should be used to an unlimited extent to prosecute the rum sellers in the county. In point of fact, they are determined to crush out rum selling and rum drinking in that county. Now, in the face of those facts, will any one say that there is not a single county in this Dominion where the Scott Act has not been a success? And when I say that of the county of Annapolis, I can also say it, to a great degree, of the county of Queen's, and I think also of the counties of Shelburne and Yarmouth. Hon. gentlemen from Ontario and Quebec pay a high compliment to the counties of Nova Scotia, and especially to the county I have the honor to represent, when they say: Don't give us prohibition because the people are not educated up to it. I say the people of Annapolis are educated up to prohibition; they are ready for prohibition; they are ready at any time to take the extended hand of any and all the counties of the Dominion of Canada that will go in for prohibition. Now, upon these facts, I shall not vote to repeal the Scott Act. I say the Scott Act is the larger portion of the wedge of prohibition, and it has been driven in, at all events, in the county of Annapolis; and for these reasons I shall hold up both hands, if that be possible, against the repeal of the Scott Act. Well, shall I vote in favor of the amendment to allow light wines, ale, and porter to be sold and imported within this Dominion and at the same time vote for prohibition of everything intoxicating except them? I say no, and for this reason:

Mr. MILLS (Annapolis).

Suppose, the dyke builders of Holland were to build a great dyke to keep out the waters that come in and flood their low lands and carry away their houses, and they left one little spot where the waters could just creep in, which afterwards became a hole, and at last a larger hole until the whole dyke was swept away, and the waters flowed over the lands the same as before. Now, then if the dyke of prohibition is to be put up, and a little hole is left in it through which ales and light wines can come in, there will not be many years before whiskey, rum, gin, and everything that has alcohol in it, will be swept over this country the same as before. I know that in the county in which I live, especially in the town of Annapolis, the effect of allowing the sale of light wines and beer would be, that little beer shops would crop up at every corner, with curtains in their windows, and behind those curtains men would go and get their whiskey, and gin, and rum, and brandy, precisely in the same way as they would if they were sold under licenses; and instead of having a peaceful town at night, instead of our female friends being able to go through the streets unmolested and unimportuned, you would have drunken rowdies on the streets, and females insulted in the twilight, if not in broad daylight. I believe that would be the effect in all the country towns throughout the Dominion of Canada. Now, shall I vote for prohibition? Most assuredly I shall. I shall vote for prohibiting the sale and importation of spirituous liquors in this fair Dominion of ours. Some say, oh, no; that would be an insult to our freedom. I ask hon. gentlemen what is freedom? I hold that the greatest freedom lies in restraint. Our greatest physical freedom lies in the restraint of our physical nature, just as we have the greatest freedom in the laws under which we live. Therefore, if these laws are beneficial, if they are good, if they are for the extermination of an evil, and this rum drinking is an evil, we can boast of being free, so far as that is concerned. People will say this depends on moral suasion; they say, use moral force, let the missionaries go out into this heathen land and endeavor to stem the tide of intemperance, and that will be all that is necessary. But I tell you, Sir, take away the temperance laws, and the missionaries, the teachers, the moral suasion people will have a contract on their hands that will last for years before they will have the temperance sentiment up to the standard it has attained to-day. I shall vote against the amendment and in favor of prohibition on this occasion.

Mr. LAVERGNE. Although this question has been thoroughly discussed, I do not wish to give a silent vote on this occasion. I may begin by saying that I will be happy to vote in favor of prohibition. In the constituency I have the honor to represent there are two counties, each of which has adopted the Scott Act, although in those counties the English speaking vote is only about one-fourth the entire vote. In the county of Drummond the Scott Act has been carried by a majority of over 1,000, and in Arthabaska, the population of which is almost entirely French Canadian, the Scott Act has been carried by a majority of about 1,500, so that judging from this the French Canadians are in favor of prohibition. I am sure that if the Act were put to the vote in the whole Province of Quebec, it would be carried by a large majority. I have made a small calculation, which, of course, is only an approximate one, of the economy that would be affected by the abolition of the liquor traffic in Drummond and Arthabaska. We have about a dozen taverns in those counties, each of which must give to its proprietor a yearly profit of about \$1,200, and the total profit may be accounted for by a total sale of liquor to the extent of \$50,000. That will give you an idea of the economy that could be effected in those two counties by the entire suppression of this traffic. Of course, I cannot say that the Act is in full operation, but we are fighting against these

twelve tavern keepers with every prospect of success, for the mass of the people are ready to submit to the Act as they showed by the vast majority with which they carried it. We, therefore, expect in a short time to carry the day against these men, who apparently think they cannot make a living except by selling whiskey, and will then effect the economy I have mentioned. Besides this saving there is a saving of time and health, and there are advantages in other respects which I need not enumerate. As an instance of the evil consequences of drinking I might mention that not more than four years ago a murder was committed near Arthabaska, in which all the actors and even the witnesses were more or less under the influence of liquor. What were the consequences? A young man 32 years of age was killed, another man was sent to penitentiary for life, another for ten years, two others were sent to gaol, and, after some months of detention, succeeded in getting bailed, and finally cleared out to the States to escape trial. I need not, however, attempt to enumerate any of the evil results of drinking, because these evil results are admitted by everybody, and we only differ in regard to the means to be taken to guard against this scourge. People have argued that we cannot by law prevent the drinking of intoxicating liquor; but I say if we are to argue this, we might as well conclude that we cannot succeed in preventing any crime by law. It is undoubted, however, that we can, by law, restrict crime to a considerable extent, and to say that it is no use trying to help ourselves by legislation against this evil of drinking is equivalent to saying that there is no use in our trying, by legislation, to prevent the commission of any crime. It has been proposed, in amendment to the main motion, that we should allow the consumption of beer and wine. I am entirely opposed to that. Beer and wine would be as bad, if not worse, than are ardent spirits, because they would be mixed with whiskey, and a more poisonous compound would thus be obtained than is the whiskey pure itself. The proposal to repeal the Scott Act is, I consider, very unfair to those counties which have voted for the Act, and which have a remedy in the law itself, if they wish to repeal it. That would be taking away from them their acquired rights. For these reasons, I am opposed to the amendments, and will vote for the main motion.

Mr. BERGIN. It is not often that I ask the indulgence of this House. It is very seldom that I trespass upon its patience, and I must ask the hon. gentlemen to-night to grant me indulgence while I say what I feel it is necessary for me to say on this question. The resolution moved by the hon. member for North Lanark (Mr. Jamieson) is not a question of prohibition, pure and simple. The very wording of the resolution shows that it would be impossible in this country to prohibit the manufacture of liquor. The resolution calls for the prohibition of the manufacture of ardent spirits, except for sacramental, medicinal, mechanical and scientific purposes. If we are to have prohibition, if we are to have a measure sufficient to prevent the manufacture and sale of ardent spirits, that measure must be one of total prohibition. If we permit their manufacture to any extent, and for any purpose, we are aiding to defeat the purpose for which this resolution has been proposed. Moreover, prohibition, as has been said by several hon. gentlemen, is an interference with the private rights of individuals. Now, I myself, on principle, am a prohibitionist, I believe in it to the fullest extent, even to the extent of interfering with the rights of individuals, but I cannot support the resolution for the reason that prohibition cannot be enforced in this country. We cannot with propriety place upon the Statute-book a law which cannot be enforced. We must not place ourselves in the position that the people of this country will treat the laws which we enact here with contempt and set them at defiance. We cannot afford to bring about such

a state of demoralisation in the community as the enactment of a law which could not be enforced would bring about. Let the hon. gentlemen who propose prohibition reflect for a moment on the long line of frontier that we have, and on the millions of acres of forest and swamp that we have in this country, and they will see that it would be impossible to enforce prohibition. At this moment, in Scott Act counties, there are thousands of private stills, and there are hundreds of farmers in this country who, to-day, in defiance of the law, manufacture and drink their own beer. We who live in counties where the Scott Act has been adopted, know what the effect of the introduction of that Act has been. I was as strongly in favor of the Scott Act as any man in the community. I realised, as strongly as any gentleman who has spoken upon this subject, the evils of intemperance, and I felt it was my duty to make the attempt to try what virtue there was in the Scott Act; and, although I was more than eight hundred miles away from home forty-eight hours before the day of the vote being taken upon that Act, and although I knew it was likely to be injurious to my own business, I returned to vote for that measure. And what is the result? The result is that drunkenness, which was comparatively unknown in my county and in the town in which I live, to-day is everywhere. We never knew what drunkenness was until the enactment of the Scott Act. We had in the town in which I lived twelve licensed hotel-keepers previous to the introduction of the Act, and every man of them—to their honor be it said—was a sober man. No man ever knew one of them to have been drunk. But, to-day, we not only have not twelve respectable hotels, but we have from 100 to 150 unlicensed places dealing out poison morning, noon, and night, Sabbath day and week day. That has been the result of the Scott Act in the community in which I live. Every effort has been made to secure the enforcement of the law. We have an honest and able police magistrate, who has given every care and attention to the trial of the cases brought before him. He is as anxious for the enforcement of the Act as any man can be, but he has been met with an amount of evasion—not to call it perjury—on behalf of those who have been prosecuted before him, which prevented him from securing convictions in many cases. We were told by a gentleman a moment ago, whose zeal I think far outran his discretion, that, in order to enforce the Scott Act, we must have men who are entirely in sympathy with it. Has it come to this, that no man must be placed upon the bench in this country to officiate as a judge unless his prejudices are so strong that he must, rightly or wrongly, secure a conviction in every case that is brought before him? This is what has so injured the cause of temperance in this country—the excessive zeal on the part of those who have supported it. I maintain that, if temperance had been as temperately advocated as it has been intemperately, we would not be in the position to-day that we are, discussing these amendments and this resolution of my hon. friend from Lanark. It was pointed out by several members, during this discussion, that the proper method of making men sober was not by the enactment of coercion laws, but by educating the people through the press, through the pulpit and from the platform. If you do not educate people properly, if you do not bring them up in the fear of God, if you do not teach them to obey their parents, if you do not show them good example, you cannot expect to make them good men, good Christians, sober citizens. I heard with great surprise the Minister of Marine say, the other night, that the enactment of these laws toughened the moral fibre of the youth of this country. I think he knows little, except theoretically, of the manner in which the Scott Act acts in this country. Does he mean to tell me that it toughens the moral fibre of a child, that it makes its mind healthy, to see its father come home drunk every night, to see the mother

giving drink to the child, and asking the father to give it another sup? It was bad enough in the old days, when the father went to the tavern and staggered in late at night or in the early morning, and got to bed without being seen by his child, but gave no mortifying, no terrible example; but now the liquor is brought home by him in the jug, he calls in his neighbors, they sit down and drink till they become all drunk. They give it to the daughter, to the son, to the mother, and to the little child, and we know that example preaches louder than precept, and the example set every day to these young children is not calculated to improve their moral fibre, or to make them healthy members of society. We are reproved who say that, instead of passing that prohibitory laws, we should endeavor to ameliorate the condition of society. Let me say that, under proper instructions through the press and from the pulpit, before the enactment of the Scott Act, temperance principles were spreading widely and taking deep root. When men offended against society, you, Mr. Speaker, and older men in this House, can remember when it was not considered a crime, but, on the contrary, something to be proud of that a man could punish his bottle or two; and in fact, a comparatively few years ago, he was not looked upon as a very good fellow unless he drank until he was laid under the table. But, under moral suasion, as it is termed, under good example and the advice of the pulpit and the press, temperance did progress and advance until men were ashamed to be seen drunk, and society showed these men that society had the power to punish, and did punish, drunkenness. Men, through shame, gave up drink, who, under the oppression of an Act like the Scott Act, will continue to drink. We who know something of human nature, men like myself, who are thrown into contact with men of all classes of society, from the highest to the very lowest, know that there is what the Americans call a certain amount of cussedness in human nature which will make men rebel against restrictive laws, who will listen to persuasion and will be guided by reason, who when you attempt to coerce them will rebel and refuse to be guided by you. The experience of the Scott Act in every county I believe, except the county of Annapolis, has been such as it has been in my county, such as it has been described by everybody except the gentleman representing the county of Annapolis (Mr. Mills); and when I listened to him I could not help feeling that he must have had in that county gentlemen like those the member for Huron (Mr. McMillan) desired to have in his county, men who rightly or wrongly would punish everyone who came before them, men who could not see anything good or reasonable except according to their own views and prejudices. I have been a temperance man for nearly twenty years; I have used my influence, such as it was, as far as it laid in my power to use it, and I had large means of exercising my influence in that way; and I find that the greater portion of our work has been undone by a little over two years of Scott Act legislation. It is for this reason that I oppose, as I do oppose, the resolution of my hon. friend from Lanark (Mr. Jamieson). I am a firm believer that, if prohibition could be enacted, it would be for the interests of the community, but, by prohibition, I mean the absolute prohibition of the manufacture, or sale, or importation of liquor. But I know, as this resolution of my hon. friend from Lanark shows, that it is impossible to prevent its manufacture, nor can its importation be prevented. When we look at our thousands of miles of frontier, on both sides of which men are engaged in the manufacture and sale of liquor, when we look at the narrow line which divides us, across which immense quantities of liquor can be brought, and which would be brought over if it were not dearer on the other side than it is here, we must recognize the fact that it is impossible to prevent its importation. Now, if we legalise its manufacture, we know that the tendency of human nature is such that the amount we

Mr. BERGIN.

permit to be manufactured will be largely exceeded; and we know, also, if we attempt to curb the passions, and tastes, and appetites of men, as this law would do, we will raise a sort of rebellion amongst the people, and they will set the law at defiance. If we cannot prevent excess of drinking by moral suasion, by properly administered license laws, we must fail to put an end to it by enacting laws such as proposed by the resolution of my hon. friend. It is in human nature to rebel against every law of that kind. We know that from the child up, it is in human nature to gratify an appetite, if it be possible to do so; as it is with a child so it is with a man, and the experience of all such legislation, the wide world over, in ages past, has been that where laws like this are enacted, the people will defy them and set themselves at work to evade them. Why should we make such an attempt, when we have at hand means which are quite adequate to bring about the results which we desire? We know that not half a century ago it was the custom for men to drink until he was the best fellow who last fell under the table. But, Sir, under the influence of better teachings, under the influence of the Christian Church, under the influence of the press, under the influence of men who devoted themselves to the suppression of drunkenness, by exposing its sin and its consequences, a change has been brought about such as a prohibitory law could not have effected. Men are ashamed to be seen now, lying grovelling drunk under the table; men are ashamed to be seen now, staggering home from a dinner party, or from a ball. But it was not so a few years ago; and that change has been brought about by moral suasion. Why not let us stick to that? Why not let us endeavor, within the law, to restrict the use of liquor? We cannot entirely prohibit it, but we can restrict it and bring it, as experience has proved, within such limits as to make the use and the abuse of liquor very small in comparison with what it was a few years ago. The high license law, enacted in many of the States south of us, has been proved to have had a remarkably good effect. All parties seem to desire the success of the law. But with this sort of prohibitory law which we have now denominated the Scott Act, we have really no assistance in carrying it out. No man is willing to be an informer. People do not like to go to the courts and state that their neighbors were drunk at such a time; but enact a high license law, as they have in many of the States, and then you make it the interest of the men who pay a high license to be the administrators of the law. It is their interest to keep the sale of intoxicating liquors in their own hands; and, in order that they may derive as much benefit as possible from the license fees that they pay, they will keep a sharp look-out for violators of the law, and bring them before the police magistrate, that they may be punished. I believe the experience of the United States, where high licenses have been adopted, has proven that drunkenness has been brought in those States to a minimum. In this country, on the contrary, from the experience we have had of the Scott Act during the last few years, it has offered a premium to drunkenness; so far from lessening the vice, we have increased it fifty fold. Why, Sir, instead of ten or twelve licensed houses in the town in which I live, there are not less than 100 or 130 places where liquor is sold, as they say, on the sly. Now, is it well that society should be demoralised in that way? Is it well that the community should be corrupted in that way? Is it well that the old and the young, the male and the female, should be taught to evade and violate the law as is now being done in the Province of Ontario? I believe, Sir, that there is not a single county in Ontario where the Scott Act is in force, in which it can be honestly stated that the law has been successful. It astonishes me more than anything else in connection with this question of temperance and of total abstinence,

that the men whose whole heart and soul seem to have been given to the promotion of temperance, should be so blind to the results as they appear to be in the matter of the Scott Act. If they test the condition of the country as regards the consumption of liquor, during the past few years, in which the Scott Act has been enforced, if they compare its condition now, with its condition three years, or six years, or ten years previously, they cannot but admit that the Scott Act has not been a success, but that, on the contrary, in every county where it has been enacted, the consumption of liquor has increased, and drunkenness has increased likewise. That has been the experience almost everywhere, except in the county from which my hon. friend from Annapolis (Mr. Mills) comes, where he says that the Act has worked wonders. Well, Mr. Speaker, it may be so. I do not say that it is not so, but the men of his county must be made of different material to the men of Ontario. There is in every man a spirit of rebellion against that which he believes interferes with his just rights, and there is a feeling in almost every man that as long as he does not drink to excess, to an excess, at all events, that leads him to violate the law, he has a right to drink. And there are thousands and tens of thousands in this country who believe that. We had from one of the advocates of this repressive legislation here to-night, the admission that a large number of those who voted for the Scott Act voted for it because they wished to make their brethren sober, although they retained for themselves the privilege of getting drunk. There are a great many such moral reformers as those in every community, men who are willing that their neighbors should drink cold water, while they themselves have the privilege of drinking whiskey and water. Those moral reformers do no good to the cause which they espouse, but like all over-zealous people they do a great deal of harm. They go far beyond what the circumstances warrant or the facts will justify, and although it may be that through the execution of most oppressive laws we may be able to put an end to open drinking, we cannot possibly put an end to private drinking. Why, the motion of my hon. friend is not a motion which, if he gives it careful consideration, he can say is one calculated to bring about the entire prohibition of the use of intoxicating liquors. You know, Mr. Speaker, that if you allow the manufacture of liquor for any purpose, there are men who will get it for some other purpose. It is not possible that you can permit the manufacture of liquor for any purpose in this country without it being taken advantage of for some other purpose; and when we consider that we have three thousand miles of frontier, that we have thousands and even millions of square acres of bush lands and swamps, and when we have, let me say the natural cussedness of the people, men who will have it if it can be got by hook or by crook, we cannot expect to put an end to drunkenness by legislation such as this. In every swamp in every Scott Act county, and in very many cellars, large quantities of a great deal better whiskey is manufactured there than you can buy in any of the stores or taverns. Is it well to educate the people to violate the law. Is it well to have a law of such a character that a great portion of the time, a large amount of the energy, and a great amount of the intelligence of the people is devoted to the violation of the law? It is not well that the law should be held in that sort of estimation by the people. I came, at very great expense and very great inconvenience, from a city where I happened to be at the time the Scott Act was about to be submitted to the people of my county, to vote for that Act. I must confess I had no great faith in the result of the Scott Act, I had no great belief that it would be to the advantage of the people of the county; but I felt that not having had a high license law attempted in our section of the country, that it would be well, at all events, to give the people who earnestly and

honestly believed that the Scott Act would have a good effect, that it would lessen drunkenness, the opportunity of having it enacted. The Scott Act was carried in our county, and a more signal failure of an Act could not have taken place than that which occurred in regard to the Scott Act in those three counties, Stormont, Dundas and Glengarry. Everywhere the law is openly violated. Hotel-keepers do not think of closing their bars, and it is impossible to secure a conviction. We have an able, upright and honest police magistrate, but the conviction secured is a rare one. Why? Because the whole community is in arms against the law. By hook or by crook it is almost impossible to get a conviction; and is that a desirable state of things, that men should live in open violation of the law, that the law cannot be enforced? On the contrary, is it not humiliating and demoralising? When we contrast the happy state of our population, before the introduction of that Act, with the hourly, daily and nightly violations of the present law, we cannot but view with regret, and aye with sorrow, the day upon which we cast our votes in support of that law, and we long for the time when we shall have a law under which we can punish drunkenness, a law that we can enforce. It is not so now. It never will be so I know, so long as we have the present Scott Act in our county. Under the old law we did succeed, every day, in obtaining conviction against men who violated the law, either by selling after license hours or by selling to females or to minors, but now the securing of a conviction is the exception and not the rule. I believe, in common with the majority of the people in the county in which I live, that the enactment of a high license law would be productive of great benefit and would be enforced. How can it be expected that you can take a union of counties, like that in which I live, and enforce an Act like the Scott Act, when you have to the north counties in which there are license laws, to the east and west counties in which liquor is permitted to be sold, and to the south a long line of frontier where liquor is not only sold but manufactured, and from which it is smuggled across into this country. Why, it is a moral impossibility to enforce a prohibitory law in counties under such circumstances. There is no difficulty in obtaining liquor, in bringing it in morning, noon and night; and now, instead of having a high holiday once in a while during the late hours of the night in a by-way tavern, it is the rule in hundreds of houses, and I do not think anything has contributed more to the drunkenness in the community in which I live than the enactment of the Scott Act, which has caused every man who was in the habit of taking his glass, and taking it temperately, and many men who never took it or had it in their houses before, to bring it there, and the example they set to their wives, sons and daughters, is not beneficial. If the benefit to be derived from the Canada Temperance Act are to be measured by the results, we must admit that it was a sad day for the counties in which it was enacted, a sad day on which it was carried. I can speak for my county that the consumption of spirits or liquor, the amount of drunkenness in it, has increased ten, aye twenty fold, and it has had this other bad effect: it has caused the people to lose respect for the law. It has taught men to look upon it as almost a holy thing to evade the law and set it at defiance. Now, this is not a desirable state in which to put any community. On the contrary, we ought to endeavor to make our citizens law-abiding citizens. We should teach them respect for the law; we should never impose upon them a law which they will bend their every energy to break. There is no half-way house in this temperance legislation. If, Sir, you could prohibit its manufacture and sale for drinking purposes, you must prohibit its manufacture and sale for mechanical and all other purposes. If we let the unholy thing within our boundaries, there are men and women, and children, too, who will obtain it, who will drink it until they get drunk.

There is no half-way house. Such a measure as that proposed by my hon. friend, much credit as it may do his heart, is not a measure which can be enforced. It allows liquor to be manufactured for mechanical and other purposes. Why, Sir, once let it in and they will obtain it for every purpose. We know that it is now manufactured in large quantities; it is smuggled in in large quantities, and it is sold in large quantities under the very eye of the law. We know that men, as determined as the gentleman who introduced this resolution, are almost every day seeking the aid of the officers of the law to bring before the police magistrates offenders against the law, but we know that every day they fail to secure convictions. Is this a desirable state of society? Is it desirable to bring the law so into contempt that every man in the community feels that he can set it at defiance, for the purpose of his own self-gratification? Is it well to have liquor banished from the saloons and hotels, or consumed under certain well defined conditions, to have it brought into the households, so that the wife and children shall be told by the man, when he sits down to take his liquor, that it is a good thing, and that they should take a little; or, as a man said the other night, when his little one ran to his knee, I must give the child a sup." And what he gave to the child he gave to his wife and he took himself, and he had the neighbors in, and I know that they had a grand carouse. The consequence was that next night they went to a neighbor's house. And these are among the results, the necessary results, of the enactment of this restrictive legislation. People will rebel against sumptuary law, and experience in our counties has gone to show that drinking has increased ten fold since the introduction of the Scott Act; the one vote of my life that I regret more than all others is the vote that I gave for the enactment of the Scott Act.

Mr. FREEMAN. I will occupy the time of the House for only a few moments, and in commencing my remarks I lay down this proposition: that the speakers, as a whole, have quite misunderstood this question. They have placed it in an entirely wrong position. They say that they made a concession to the temperance people in giving them the Scott Act. I deny that proposition entirely, Sir. They did nothing of the sort. They passed a law in accordance with the advanced opinion of the people of this Dominion. That is what they did. They made no concessions to the temperance people, and we hold that, to-day, the temperance sentiment of the people of this Dominion is quite as far advanced on the temperance question as it was in 1878, to say the very least. But I go further, and say that the temperance sentiment has advanced very largely since 1878, and although we admit that the Scott Act has not destroyed the sale of liquors, we say that it was never expected that it would. It was never contended that it would entirely destroy the sale of liquor. We agree, to some extent, with the gentlemen who have spoken in that direction, and when I say "we" I mean the people of this Dominion—a majority of the people of this Dominion. We say to this Parliament: We find that this law which you gave us in 1878—this law which you gave the people—has done a great deal for us; it has done a great deal in staying the people who rebel against all law, and we come now to ask you to give us a better law, a law which will entirely restrain them, a law which will destroy the manufacture of liquor. Now, we say that at the very bottom of this question, at the very core of it, lies the manufacture of strong drink; and that while the Government allow the manufacture of drink, and give us laws to punish those who drink the liquor which they allow to be manufactured, they are inconsistent, and we say to this Parliament: Be consistent now. We say that while you allow the sale of liquor to be punished you are not consistent in making money out of the manufacture of it. That

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is our position, and we have no reason to combat the assertion that the Scott Act has failed. What is the Scott Act any more than any other law you write on the Statute-book. They say the Scott Act has failed. The Scott Act will, like any other law, be harmless, it will be a dead letter, if the people do not use it and put it in operation. The hon. members who have spoken here seem to think that the obligation lies on the temperance people to enforce the law. Since the discussion the other evening, it has been admitted alike by the opponents of temperance reform and the advocates of temperance in this House, that the consumption of liquor is an evil, and a great evil. We say then, if it is an evil, as they admit it to be, every man is bound to assist the temperance men in enforcing the laws to prohibit the sale of this liquor, and to go further and help us to prohibit its manufacture. Now, with regard to the question of the Scott Act being a failure, I contend that it is not a failure. Here is a record that I have obtained within the last few days. Nova Scotia has eighteen counties and one city, of which thirteen counties have adopted the Act, and they adopted it by very large majorities. Now, Sir, I say that to-day we cannot get one of those counties to declare, by any reasonable number of its people, that it wishes to have the Scott Act repealed. Have you a petition before this House from any number of men in Nova Scotia telling you that they wish the Scott Act repealed? You have not; and I go further than that: You cannot get an honest-souled, hearty temperance man in the Province of Nova Scotia to tell you so. I will defend that statement anywhere. Nova Scotia has eighteen counties and four cities, of which thirteen counties have adopted the Act. New Brunswick has fourteen counties and four cities, of which ten counties and two cities have adopted the Act. Where is the New Brunswick man who wants that Act repealed? And I tell you that those who voted for it before are ready to vote for it again. Then, you have in Manitoba five counties and one city, of which two counties have adopted the Act; and Prince Edward Island you have three counties and one city, all of which have adopted the Act. Has Prince Edward Island sent in petitions here that she wishes the Scott Act repealed? I do not think you have any. Then let us come to Ontario, and I was delighted when I saw this record from Ontario. Ontario has 38 counties and unions of counties, and 10 cities, of which 25 counties and 2 cities have adopted the Act, and in 5 counties and 3 cities agitation has been started in its favor. I was surprised to find that so many counties of Ontario had adopted the Scott Act, because from what hon. gentlemen from Ontario said in this House, I concluded that Ontario was all drunk. One hon. gentleman says that in his county, under the license law, they used to have a conviction every day, and I concluded that it was a pretty drunken county. I thought all the counties in Ontario were like that, but I find that is not the case. From what we have heard we would suppose that there was not a county in Ontario that wished to continue the Scott Act. I have an article which has been published lately in a paper. I will tell you what paper it is if you wish to know; it is the *Oshawa Vindicator*; is it good for anything? That paper says:

"The county gaol at Whitby is empty for the first time since it was built. There is not a single prisoner confined within its gloomy walls, nor has there been since last Friday. The fact is a significant one, following as it does so closely the coming into force of the Scott Act in this county. Some may claim that it is purely accidental and will not occur again. That may possibly be the case, but still the fact is there and it cannot be gainsaid. The Scott Act people would not be doing justice to themselves were they to let such an opportunity slip of proving their contentions. They claimed that the passing of the Act would decrease crime. In less than two months crime has been reduced and the gaol is free of prisoners for the first time since it was opened. It is to be hoped that this state of things will continue and that it will be an exception to the general rule to find a prisoner confined in the county gaol."

Now, I venture to say that if we could get Scott Act men from every one of those counties here, you would find that

they would give us the other side of the question, and they would contradict the testimony which has been adduced here. Here is another thing you must remember: that the Scott Act is put on its trial before its enemies. With regard to those gentlemen who speak against the Scott Act, I will venture the assertion that they are not teetotallers—at heart, they are not friends of the reform; and they contend that the Act is condemned. I contend that it is not condemned. Would you call any man condemned, fairly and honestly, who was brought before a court and tried by a jury all pledged against him, all opponents of his? I am sure you would not. No man in this Dominion would tolerate such a thing; and that is exactly the position in which we stand with reference to the Scott Act. I say it is unfair, and it is not the way in which to judge the Scott Act. Now, I want to answer my hon. friend from Cornwall (Mr. Bergin). He begins by telling us that he is a temperance man of twenty years' standing. He approves of the way in which public opinion has been brought up to the present time. He says it has been done by moral suasion—by the efforts of the pulpit, the platform and the press; he has helped, at a great sacrifice to himself, to bring public opinion up to its present position; and then he turns round and condemns the hon. Minister of Marine, who has been a steady worker in the temperance cause for the last 20 or 30 years, on the platform and in the press, and never has a word been said against him as a steady, honest teetotaller; and yet this hon. member condemns him as not being a co-worker with him. I conclude that the hon. gentleman has never worked in that direction then, and it is utterly impossible for me to arrive at any other conclusion. Suppose an hon. member on the other side, opposed to the present Government, after he had been condemning the right hon. leader of this Government and his policy for the last 20 years, should then turn round and say, I am a true supporter of that policy, what would we think of him? Now, the hon. gentleman tells us that the hon. Minister of Marine is not a true friend of the temperance cause, but that he is, and that if we will follow him, he will lead us on to victory. Then he tells us that the Scott Act is destructive of the peace of families; that it causes the sale of liquor; that it breaks down the moral fibre of men, women and children. Why, the gentleman is dreaming; he is certainly under a delusion. Let us appeal to common sense. Go into any house you like where the father and mother drink liquor and give it to their children. You destroy the liquor and peace is restored to the house; introduce temperance there and you have peace and prosperity. The hon. member for Cornwall says no, give them the liquor and peace and prosperity prevails; introduce the Scott Act and peace is destroyed. That is extraordinary logic. What is the Scott Act? It is an Act which gives the people in the counties where it is adopted power to prohibit the sale and the manufacture of intoxicating liquor. Now, the hon. gentleman says he is in favor of prohibition, and yet he declares that the Scott Act, which gives entire prohibition where it is adopted, is the worst law that was ever put in the Statute-book. He is certainly a very logical gentleman. Hon. gentlemen may think this a question to make merry over, but let me tell them, in all seriousness, that it is a serious question. To-day in this Dominion, hundreds of women are crying to heaven for relief, hundreds of children are houseless and homeless, because of this liquor traffic. If hon. gentlemen would only look in at some of those abodes of misery, they would, if they have not hearts of steel, be moved with compassion for those poor people. Are we sincere or not when, through our Speaker, we ask our Creator that our legislation should tend to the good of this Dominion? If we are, we will not disregard the appeals of the widows and the fatherless, and the distressed people who are suffering from the misery of this evil, this intoxicating drink, and who will hold this

assembly accountable for its legislation to-night? I say that to-night many a father will lay his head on his pillow with sorrow, because of the destruction that has come to his boy through liquor. I have now in my mind a dozen men who went out in their youth promising lads, fitted to adorn any position, and who, to-day, through this terrible traffic, are miserable men, with ruined prospects, destroyed happiness, and corrupted morals. But this hon. gentleman tells us that he is a temperance man. He is the most extraordinary temperance man I ever heard of. He says he has been for years laboring for the temperance cause. Let me tell you, Sir, I have been for thirty years laboring for that cause; for thirty years alcoholic liquor has not passed my lips in any shape, except, perhaps, as medicine, for I have been at times ill, and cannot vouch for what my physician gave me. I have expended time, energy and money, and made enemies for myself, in the temperance cause. To-day I hold this Scott Act to be an excellent Act for the forwarding of temperance reform. I have not turned my back against it, as the hon. gentleman has. I have seen a great many hypocrites in the temperance cause. Hon. gentlemen laugh; I wonder are there any hypocrites in political parties. I have seen temperance men who have put their politics before their temperance principles, and these men you will find to-day all over the Dominion amongst all orders, in the church as well as elsewhere. I hope the day will come when all men will be honest and true, but that day I am afraid is a long way off. But the temperance cause is one thing and men's dishonesty and hypocrisy is another thing. The hon. gentleman said he was ashamed of the vote he gave for the Scott Act. Let that be made known in the little back slums where they sell liquor, tell it in the grog shops, and they will rejoice over it and look upon that hon. gentleman as their friend; but let him bring that record on paper to a temperance lodge and ask permission to enter, and they will say to him: march, you have no business here; that is not the record of a temperance man. Let the hon. gentleman boast as he will, there are standards by which we judge each other. We judge a man, first by his words and then by his actions, but when a man comes up boldly and tells us that he is an honest temperance advocate, and then that he feels towards the temperance cause as the hon. gentleman says he does, we must conclude there is something wrong. Now he says, carry on your temperance reform by the methods you have used to bring it up to its present position. We are doing that. We are promoting it by every means at our command. The chief temperance promoters are not among the wealthy; they are not among the millionaires. We find them largely among the poor, hard, horny-handed working men of this country; we find them among the men who are the bone and sinew of the country, who work hard for their money, and cannot plank down their hundreds and thousands and tens of thousands as those millionaires can, those who are pledged to oppose us. We have these strong men, these powerful men, these men who have made money, who have taken the hard earnings of the people and have them rolled up in their bank stock, and can put down as much money as they like to promote their liquor traffic—we have these men to fight; we have to meet the money of these men, and we are not able to enforce this Scott Act as we would if we had the means to do it; and for that reason the Scott Act in many counties has not been as successful as it would otherwise have been. And we are promoting it by the pulpit. Take the religious denominations; take the general assemblies of all the religious denominations; where will you find one which is not supporting us in this great cause? The religious press supports us too. I think you cannot find a religious newspaper in the Dominion which is not in part, or in whole, supporting us. I will not say anything about the press generally. I refrain from that. We have arrived

at a point when we believe that the law will materially help us. That is our position. We invoked the law in 1878. It has done us a power of good, and it will do us more good; but we come here and say, go further and give us a prohibitory law. If Parliament considers that the time has not come for a prohibitory law, we must submit to its decision; but let me tell the House that our course is onward and upward. I may not live to see it, but many men in this House will live to see prohibition passed, notwithstanding all these croakers, these false temperance men, these men who come and say they are teetotalers and temperance men, when we are not in a position to bring evidence to prove the contrary. Notwithstanding all these, we will carry prohibition in this Dominion, and the debate in this House to-day will be one of the grandest things to promote the temperance cause that has occurred within the last five years. The temperance people will see how the vote stands here. They will look to see the men who represent them, and there will be a general skaking amongst the dry bones, and I believe the day is not far distant when we will have a prohibitory law in this Dominion. I would be the last to desire a prohibitory law if it had not the good sense and the sentiment of the people behind it. Our opponents call us fanatics. Are we fanatics? Take the men in Britain and on this continent—the philanthropists, the eminent men in the church, on the bench and at the bar, who are promoting the temperance reform, and I think you will admit we are not fairly open to the charge of fanaticism. We express the sentiment of the country, and that sentiment is in favor of a prohibitory law. The people will have it; they are asking for it to-day; and however much our opponents may laugh and enjoy what they regard as fun, and however much they may be astonished that a few men will stand up and speak to them on this question in earnest, however much they may be astonished to find a few men who are really in earnest, the time is not distant when they will find, not a few, but many men here who will advocate the cause with more earnestness and with more ability than I can pretend to do.

Mr. JAMIESON. I have no doubt the House is impatient for a vote upon this question, but I pray the indulgence of the House for a very short reply. Had it not been that two amendments have been moved to the resolution, I would not again have troubled the House, but, as these amendments are very important, I think it is only proper that I should have a few words to say in reference to them. I am very glad to observe that there is a general consensus of opinion in this House in regard to the traffic in intoxicating liquors, that the majority of the House are of opinion that the traffic is a wrong one, and that they agree in the opinion that it is right to prohibit the traffic if we can bring it about in accord with the general sentiment of the country. This discussion reminds me of a story of a countryman of my own, or rather of my father, who was very ill and expected that he was going to die. He gathered his friends around him and gave them directions with regard to his burial. He had been twice married, and both his wives were dead. He asked that he should be buried between his two wives, but with a slight cant towards Biddy. I think most of the gentlemen who have spoken have a slight cant towards wine and beer, or towards whiskey. I am glad, however, that the suggestion I made at the outset, that we should have somewhat of a general discussion on the question, has been acted upon by the members of this House. I was very much surprised to find one hon. member—I refer to the member for Cornwall (Mr. Bergin) who is not now in his seat—who objects to my resolution on the ground that it does not go far enough. I can say to that hon. gentleman that, if, after these amendments are voted down, as I have no doubt they will be, he will move a stronger reso-

Mr. FREEMAN.

lution on the question, I will withdraw mine in favor of his. I believe, however, that my resolution is quite strong enough. I am not aware that any prohibitionist in Canada advocates the total prohibition of the manufacture and sale of intoxicating liquors. Our proposition is that intoxicating liquors as beverages are not only useless but hurtful to the people of the country, and, while we are prepared to allow the manufacture and importation of intoxicating liquors for certain purposes, such as sacramental, medicinal and scientific purposes, we propose that for all other purposes, or as beverages, they should be prohibited altogether. We propose—and the resolution seems to have been misunderstood by my hon. friend—that any manufacture, sale or importation which might be allowed should be conducted under the superintendence of the Government through specially appointed officers, so that it would be impossible, unless with the connivance of the Government or the officers of the Government, to have the liquor sold for any purpose except the purposes which are specified in this resolution. Now, I lay it down as a proposition that the first thing we have to consider in the matter is, are we right? Is the prohibition of the traffic in intoxicating liquors right? If that traffic produces such evils as it has been declared to produce by members of this House, then I say the time has come when we ought to suppress it. For 200 years every civilised country in the world has endeavored to regulate the traffic, but it refuses to be regulated; and now we propose to prohibit it. It has been said that you cannot make men sober by Act of Parliament. In reply to that I would quote the proposition which was laid down by one of England's greatest statesmen, the right hon. Mr. Gladstone, who said that it was the duty of Parliament to legislate so as to make it easy for men to do right and difficult for them to do wrong. I also lay it down as a proposition that if one class of people in the community have a right to prevent another class of people from doing wrong, then they certainly have a right to prohibit the liquor traffic. It has been said that we have got to educate people. Now there seems to be this distinction between gentlemen who have spoken in opposition to the resolution, and those who have spoken in support of it. Those who support the resolution contend that there are two agencies that may be used for the purpose of promoting the cause of temperance, namely, moral suasion and legal compulsion. Those who oppose the resolution simply say that we ought to content ourselves with moral suasion, and not resort to legal compulsion. Now, the advocates of temperance and prohibition are not opposed to moral suasion. They do not underrate the benefit of moral suasion and of good example. They say that they are even better than legal compulsion. But they claim that hand in hand with moral suasion and good example, we require the strong arm of the law in order to put down the traffic in strong drink. Now, without going over again the argument in favor of prohibition, I will just say for the benefit of certain hon. gentlemen who are very vehement against this resolution, that it is not many weeks ago when they were just as vehement in advocating the enforcement of laws in the Emerald Isle which are distasteful to the majority of the people there; and if it is right to coerce people in one case into obedience to the law, it must be right in another case. I believe in educating people. I believe in enacting good laws, and in educating people up to obedience to those laws. Now, let me say a word or two with reference to the two amendments. The hon. member for Jacques Cartier (Mr. Girouard), proposes to allow the sale of wine and beer in Scott Act counties. But it seems that matters in those counties are bad enough already, according to the statements which have been made by some hon. gentlemen who represent that in Scott Act counties a very serious state of demoralisation ex-

ists. Well, Sir, it is a most remarkable fact that since the advent of the Scott Act a great many people who formerly had five senses, now have only four, they have entirely lost the sense of taste. But if that be the case now, when men have to discriminate between ginger pop and ginger beer, and the stronger kinds of liquor, what will it be when distinction is merely between the different kinds of alcohol, such as wine, and beer, and gin, and the stronger brands of liquor? Instead of having five senses they will only have three, because they will not only have lost the sense of taste but the sense of smell also. Now, I look upon it as a monstrous proposition that we should introduce wine and beer into those counties which have adopted the Canada Temperance Act, in face of the compact which has been entered into between the people and this Parliament that this Act should remain intact on the Statute-book. Yet that is what my hon. friend from Jacques Cartier proposes to do. After the people in 68 counties and cities in this Dominion have adopted the law, he proposes to engraft upon it a principle which is destructive of the law itself. I cannot understand how any gentleman occupying a seat in this House, having sufficient intelligence to find his way into this Parliament, can advocate such a proposition as that. It is a direct insult to the people of this Dominion, and I do not believe their representatives here would entertain such a principle for an instant. Why, Sir, I consider that the amendment of the hon. member for East Bruce (Mr. Cargill), although I do not concur in the reasons which he gave, is a more reasonable one than the amendment proposed by the hon. member for Jacques Cartier. But what is the meaning of the amendment of the hon. member for East Bruce? Not only that the Act shall be destroyed, but, that after a majority of the people in a large number of constituencies have adopted it, it shall be repealed in those constituencies without consulting the people. Why, Sir, it is one of the first principles of constitutional law, that the same power that enacts a law shall alone repeal it. Every lawyer in this House knows that, and yet the hon. gentleman proposes that the people of this country are not to be consulted, but that this Parliament shall repeal the law which the people themselves have adopted. I say the proposition is a wrong one. If this law is as unpopular as some hon. gentlemen would have us believe, the people have the matter entirely in their own hands. I speak advisedly when I say that there is not a single county in the Dominion where the Scott Act has been adopted in which the people, during the next twelve months, will not have an opportunity of repealing this law if they think proper to do so, and if they are not satisfied with its operations. I am not aware that there is such a widespread dissatisfaction with the law as some hon. gentlemen would lead the House to believe. I tell this House that although that Act has been adopted in 68 counties and cities in this Dominion, in not one single instance has it been repealed by the people. That does not indicate a widespread dissatisfaction as regards the law. But if there is dissatisfaction, I lay down as a reasonable proposition that the authority which put the law in force ought to be the authority by which the law should be abrogated. I trust that the good sense of this House will dispose, in a very summary way, of the two amendments that have been moved. I think the propositions embodied therein are wrong from beginning to end, and I trust the members of this House will view the matter in that light, and by their votes so decide, for, in my judgment, the amendments should never have been proposed to the resolution which I have submitted. So far as the main resolution is concerned, all we ask is a conscientious expression of the opinion of hon. members. It is quite true that members differ in opinion on this question; it is quite true that many of my own constituents are opposed to me on this question. I am not quite sure I represent a very large proportion of

my constituents by the position I am taking on that question; but I told the people of my county when I went back for reelection that, if I could not hold a seat in Parliament without sacrificing my temperance views, I preferred to be a private citizen, and the people sent me back here, and I am endeavoring to represent them to the best of my judgment. I must not, however, forget the fact that many honest, good men in my own county differ from me on this question; but I feel I have a duty to perform while I occupy a seat in this House, and I am endeavoring to discharge that duty to-night whilst I am advocating the suppression of the traffic in intoxicating liquors.

House divided on amendment of Mr. Cargill (p. 851) to the amendment:

YEAS:

Messieurs

Amyot,	Daoust,	Mitchell,
Baker,	Davis,	Patterson (Essex),
Bergin,	Desaulniers,	Pope,
Burns,	Guilbault,	Roome,
Cargill,	Haggart,	Skinner,
Carling,	Hickey,	Small,
Caron (Sir Adolphe),	Kenny,	Smith (Ontario),
Chisholm,	Labelle,	Stevenson,
Choquette,	Labrosse,	Tyrwhitt,
Costigan,	Macdonald (Sir John),	Ward,
Coughlin,	McDowall,	Weldon (St. John),
Couture,	McGreery,	Wood (Brockville).—38.
Curran,	Madill,	

NAYS:

Messieurs

Armstrong,	Freeman,	Montplaisir,
Andet,	Gaudet,	Mulock,
Bain (Soulanges),	Gauthier,	O'Brien,
Bain (Wentworth),	Geoffrion,	Paterson (Brant),
Baird,	Gigault,	Perley (Assiniboia),
Barron,	Gillmor,	Perley (Ottawa),
Béchar,	Girouard,	Perry,
Bergeron,	Godbout,	Platt,
Bernier,	Gordon,	Porter,
Borden,	Grandbois,	Préfontaine,
Bourassa,	Guay,	Purcell,
Bowell,	Guillet,	Putnam,
Boyle,	Hale,	Reid,
Brien,	Hall,	Robertson (Hastings),
Brown,	Hesson,	Robertson (King's, P.E.I.),
Bryson,	Holton,	Robertson (Shelburne),
Cameron,	Innes,	Ross,
Campbell (Kent),	Ives,	Royal,
Carpenter,	Jamieson,	St. Marie,
Cartwright (Sir Rich'd),	Joncas,	Scarth,
Casey,	Jones,	Scriver,
Casgrain,	Kirk,	Semple,
Charlton,	Kirkpatrick,	Shakespeare,
Cimon,	Landry,	Somerville,
Clayes,	Lang,	Sproule,
Cockburn,	Langelier (Quebec),	Taylor,
Colby,	Langevin (Sir Hector),	Temple,
Cook,	Laurier,	Thérien,
Coulombe,	Lavergne,	Thompson,
Daly,	Livingston,	Tisdale,
Davies,	Lovitt,	Trow,
Davin,	Macdonald (Huron),	Tupper (Pictou),
Dawson,	McOulla,	Turcot,
Denison,	McDonald (Victoria),	Waldie,
De St. Georges,	McDougald (Pictou),	Wallace,
Desjardins,	McIntyre,	Watson,
Dessaint,	McKay,	Weldon (Albert),
Doyon,	McLellan,	Welsh,
Duchesnay,	McMillan (Huron),	White (Cardwell),
Dupont,	McMillan (Vaudreuil),	White (Renfrew),
Edgar,	McMullen,	Wilmot,
Edwards,	McNeill,	Wilson (Argenteuil),
Eisenhauer,	Mallory,	Wilson (Elgin),
Ellis,	Mara,	Wilson (Lennox),
Ferguson (Leeds & Gren),	Masson,	Wood (Westmoreland)
Fiset,	Mills (Annapolis),	Wright,
Fisher,	Mills (Bothwell),	Yeo.—145.
Flynn,	Moncreiff,	
Foster,	Montague,	

Amendment to the amendment negatived.

House divided on amendment of Mr. Girouard (p. 846):

YEAS :

Messieurs

Bain (Soulanges),	Denison,	Livingston,
Baker,	Desaulniers,	Macdonald (Sir John),
Bergeron,	Desjardins,	MacDowall,
Cargill,	Dupont,	McGreery,
Carling,	Fiset,	McMillan (Vaudreuil),
Caron (Sir Adolphe),	Gauthier,	Mitchell,
Chisholm,	Girouard,	Montplaisir,
Choquette,	Grandbois,	Patterson (Essex),
Cockburn,	Guay,	Pope,
Costigan,	Guilbault,	Robertson (Hastings),
Coughlin,	Haggart,	Small,
Coulombe,	Hall,	Thérien,
Couture,	Kenny,	Ward,
Curran,	Labelle,	Weldon (St. John),
Daoust,	Labrosse,	Wood (Brockville).—47.
Davis,	Langevin (Sir Hector),	

NAYS :

Messieurs

Amyot,	Geoffrion,	Perley (Ottawa),
Armstrong,	Gigault,	Perry,
Audet,	Gilmor,	Platt,
Bain (Wentworth),	Godbout,	Porter,
Baird,	Gordon,	Préfontaine,
Barron,	Guillet,	Purcell,
Bécharé,	Hale,	Putnam,
Bergin,	Hesson,	Reid,
Bernier,	Hickey,	Robertson (King, P. E. I.)
Borden,	Holton,	Robertson (Shelburne),
Bourassa,	Innes,	Roome,
Bowell,	Ives,	Ross,
Boyle,	Jamieson,	Royal,
Brien,	Joncas,	Ste. Marie,
Brown,	Jones,	Scarth,
Bryson,	Kirk,	Scriver,
Burns,	Kirkpatrick,	Semple,
Cameron,	Landry,	Shakespeare,
Campbell (Kent),	Lang,	Skinner,
Carpenter,	Langelier (Quebec),	Smith (Ontario),
Cartwright (Sir Richard),	Laurier,	Somerville,
Casey,	Laverge,	Sproule,
Casgrain,	Lovitt,	Stevenson,
Charlton,	Macdonald (Huron),	Taylor,
Cimon,	McCulla,	Temple,
Clayes,	McDonald (Victoria),	Thompson,
Colby,	McDougald (Pictou),	Thisdale,
Cook,	McIntyre,	Trow,
Daly,	McKay,	Tupper (Pictou),
Davies,	McLellan,	Turcot,
Davin,	McMillan (Huron),	Tyrwhitt,
Dawson,	McMullen,	Waldie,
De St. Georges,	McNeill,	Wallace,
Deessaint,	Madill,	Watson,
Doyon,	Mallory,	Weldon (Albert),
Duchesnay,	Mara,	Welsh,
Edgar,	Masson,	White (Uardwell),
Edwards,	Mills (Annapolis),	White (Renfrew),
Eisenhauer,	Mills (Bothwell),	Wilmet,
Ellis,	Moncreiff,	Wilson (Argenteuil),
Ferguson (Leeds & Gren),	Montague,	Wilson (Elgin),
Fisher,	Mulock,	Wilson (Lennox),
Flynn,	O'Brien,	Wood (Westmoreland)
Foster,	Paterson (Brant),	Wright,
Freeman,	Perley (Assiniboia),	Yeo.—136.
Gaudet,		

Amendment negatived.

Mr. SPROULE. I beg to move in amendment :

That all the words after "That" be struck out of the main motion and the following substituted:—In the opinion of this House, when it is found expedient to prohibit the sale and manufacture of intoxicating liquors, it shall be accompanied by a reasonable measure of compensation to those who invested their money in the trade under the sanction of the law.

In moving this amendment I do so because it is in harmony with a principle known to be correct in all civilised nations. When, in the interests of society, a man's property is either destroyed or taken from him, it is always recognised that he should be compensated for it. In this case, as in all others, I claim that the principle is a sound one. If it is found to be for the general good of the people that a railway should

Mr. JAMIESON.

be forced through a certain section of country, no matter from whom the property is taken, it is only taken after that party received a fair compensation for his property. If it is in the general interests that a canal should run through the country, and a man's property is destroyed or expropriated, it is only done after the principle is carried out and the parties have been compensated. There are vested rights involved that must be considered. It is said and held by some persons that there are no vested rights in the case under consideration, because the licenses are only permissive and are granted from year to year. But a license is granted on the understanding that if the restrictions thrown around the traffic by the law are complied with, that party at the end of the year will have the right to expect a renewal of license.

Some hon. MEMBERS. Oh, oh, vote.

Mr. SPEAKER. Order. I shall be obliged to name some of the hon. gentlemen, because I think I can point out with safety who is making that noise.

Mr. SPROULE. I have listened patiently and attentively to all that has been said on this subject. Its importance is the only excuse I offer for the remarks I am about to make, but in presenting them I have the same right to do so as any hon. member in this House. Vested rights have grown up under this traffic, and they should be considered. If there are those who believe this is not the case, let them look at the assessment rolls of Toronto, London, Prescott and other points; look at the establishments of Gooderham & Worts, of Labbatt, and of firms at London, and Windsor, and consider the amount of assessable property there represented. Let hon. gentlemen consider the number of men employed in that line of business; the number of cattle bought from farmers and fattened for foreign markets by virtue of this trade, and they will be convinced that there are vested rights in this trade. If we find in the interest of humanity it is necessary to pass a law for the destruction of this trade, then in common fairness Parliament is bound to adopt the principle acknowledged to be correct by all civilised nations, and grant compensation to those parties for the destruction or depreciation in the value of their property. I only ask attention while I explain the principle acted on. We take the abolition of slavery in the United States. The North forced on the South the abolition of slavery, as it is proposed prohibition shall be forced on the people of this country to-day. But has it ever been acknowledged by the men of the South, who had their property destroyed, that the principle was a sound and correct one? The supreme contempt engendered for law and authority was such that they do not find the people of the South are agreed to accept the law forced on them, and to assist in carrying it out by healthy sentiment and obedience to the law, such as they would have manifested had there been compensation given for the destruction of their property. When England had to deal with the same evil she acted in harmony with the principle I have enunciated, and the liberation of slaves was followed by compensation made by the Government to its owners. Why, because no injustice was wished to be done to the parties, and hence no sympathy was created for them, but if it was acknowledged that slavery should be abolished, and that the slaveholders should be compensated for the destruction of their property, then I say the community in general was prepared to support that law. There is another reason why I am in favor of this amendment. It is because I think that if the arguments which hon. gentlemen have adduced, in telling us that our penitentiaries and gaols are filled, by reason of the traffic in intoxicating liquors, if the number of commitments from that cause is so proportionately large, compared with the whole number, that it is clearly evident a large percentage of the crime in the country is brought about as a result of the traffic in intoxicating liquors, then

if all that amount of expense is brought upon the nation by this unfortunate trade, we should be willing, in the interests of the economy of the nation, to give at least a portion of our revenue for one year to buy out that trade, and do away with it altogether; because the result of this expenditure for one year will be a saving for all time to come, if the arguments of hon. gentlemen are correct and sound. I support it on another ground, and that is because it takes away a grievance from those parties who think they have a right to complain when a law like this is passed. These people, so long as they have a grievance, can get their friends to sympathise with them and to support their views; when you take away their property by the sweeping confiscation of the law, these men, having a grievance, will attract sympathisers to their side, and there will not be that healthy sentiment in the community which is required for the proper support of the law, because it will be held by those who are oppressed by that law, and by their friends throughout the country, that a great injustice has been done them. Therefore, I think that, if from no other motive, we should support this amendment in the interest of temperance. By so doing we will create behind the law a moral sentiment which will be strong and unanimous; we will take away all opposition to the law, and no sympathy will be created for those who abhor and condemn the law, because they consider its existence a grievance to themselves, and, therefore, endeavor to bring it into disrepute. The general consensus of opinion will be against those who violate the law and in favor of those who are ready to sustain it. I hold to the view upon this question which was expressed by an eminent divine a short time ago, that the country may be virtually looked upon as partners in this trade. We give to these men a right to go into the trade, and, as one of the partners in that trade, what do we allow them? We allow them the right to manufacture and to invest their money in this business, in consideration of their giving us back a portion of the profits of that trade. They give a portion back to us and to the country, but just as soon as they have invested their money in that trade, as soon as we acknowledge the validity and the legality of it, and the right of these men to engage in it, as soon as they have built it up under the sanction, and provisions, and regulations of law, and we have received from them a part of the profits as an acknowledgment of our interest in the trade, then we suddenly pass a law which destroys the value of the capital invested, destroys the trade itself, and leave upon their hands the plant, which is rendered worthless by virtue of the act of prohibition we pass. Is that fair to the other side of the partnership—to the men who have engaged in the trade and invested their money in it, under the sanction, provisions, and regulations of the law? What will be the result if we carry out the principle of prohibition without compensation to those parties? In the first place we will leave behind a rankling feeling in the breasts of these men, a feeling that they are aggrieved, and a feeling of contempt for the law, which is the strongest reason why the law will not be supported. Why is it so hard to secure convictions in Scott Act counties against those men who are engaged in the trade? It is because when they find that the business, upon which they have to depend for their own support and the support of their families, is taken away from them without giving them anything in return, they have nothing but contempt for the law and for the authorities who are trying to enforce the law. Why do we find the authorities under this law so weakened in the country to-day, that it is almost impossible to secure a conviction for infraction of the law? It is because the opinion is held by a great many people in the country that a grievance exists, and that they have the strongest grounds for opposing the law, and, therefore, they attempt, in every way that is possible to be devised by the ingenuity of man, to evade this law and the provisions of this law. It is for these reasons

that I favor the amendment which I am about to move. I am myself in favor of total prohibition. I believe it would be in the interest of the nation, but while believing that, I am not in harmony with those who think that the time has arrived for the passage of a prohibitory liquor law in this country. It is true that we have the verdict of the people in sixty-eight counties and cities of this country by carrying the Scott Act, and that if we accept that we should believe that the time is ripe for prohibition. But the influences by which that verdict has been secured are rather misleading than otherwise, and it is felt that it is not *bond fide* evidence that there is a reasonably large majority of the people who are prepared to support the sentiment of that law and are prepared to support that law if it is passed. I leave out of consideration the fact of the large revenue coming from that trade to-day; but I say that if ever we expect this law to be carried out successfully, it will only be done after we have given a fair measure of justice to those parties whose property has been destroyed or depreciated by this law. I ask on behalf of those parties; I ask on behalf of the great interests at stake in this matter; I ask on behalf of prohibition itself that this principle should be adopted by this House, or that it should be supported as strongly as hon. gentlemen are disposed to support it, and then when we get the verdict of the representatives of the people we will know what the strength of this sentiment is. Then, no matter whether prohibition is accomplished in this country early or late, it is sure to succeed if carried out in conformity with the principle of the amendment which I have put in your hands.

Mr. MILLS (Bothwell). I submit that this motion has no relevancy to the main motion. The hon. gentleman might as well declare that when we have war with Russia, it will be necessary to compensate anyone who sustains loss in the contest.

Mr. SPEAKER. The amendment bears on the same subject matter as the main motion, and although it may be a very vague resolution, the House may pass as many resolutions as it likes. I know nothing in the rules which prevents it.

Mr. LAURIER. If it were a rider I could understand it, but if this is carried it becomes the main motion.

Mr. FISHER. If your ruling, Mr. Speaker, is that this amendment is in order, I should like to say a few words. I remember that a few years ago a very similar motion to this one was made in this House, as a substantive motion, at a time when prohibition was not being discussed, and at that time I took the ground which I take to-night, that it would not be wise or right for us definitely to declare beforehand that we should do a certain thing in the event of prohibition being adopted in this country. I contend that to declare here to-night that, in the event of adopting prohibition, we should give compensation to the industries that would be injured by prohibition, we should be giving a direct incentive to the people of this country to embark their capital in those industries, to increase them in our midst, and thereby to create greater difficulties in the way of bringing about a measure which I believe to be in the interest of the great mass of the people of this country. If, to-day, there are industries which are going to be hurt by prohibition, we have the proof coming from those industries themselves that the measure of local prohibition which we have had in this country has hurt those industries, and has decreased the quantity of liquor consumed in the country. If, therefore, we wish to bring about prohibition, desiring as we do to diminish the liquor traffic in our midst, our object is certainly not to give encouragement to those industries to increase the traffic, or to ask from us better compensation than they would be enti-

led to if when we do have prohibition we consider it right to give them compensation. I am not going to discuss the abstract question of the right of compensation, because I do not believe that this is the proper occasion on which to discuss that question, which I believe is a detail of a prohibitory law. To-night we are discussing the broad principle of prohibition; we are asking this Parliament, not to give us a law in detail, but simply to declare that it is expedient, in the interest of the people of this country, that prohibition should be adopted and become the law of the land; and when the Parliament of Canada has decided that it shall give prohibition to the people of this country, then will be the time to discuss the question whether compensation is just or not, what measure of compensation shall be given, if any, or whether compensation shall be absolutely refused. As I say, I am not going to enter into the merits of this question; I am not going to discuss whether the liquor dealers or only the liquor makers should be compensated, or whether that great body of people who have for generations past been injured by the liquor traffic should be compensated for the injury they have sustained. There are two sides to this question, if not more; but I am not to-night going to advocate one side or the other, because I do not believe this is the proper occasion on which this question should be discussed. I, therefore, move in amendment to the amendment, seconded by Mr. Scriver:

That all the words of the amendment be struck out, and the following be added to the main motion, at the end thereof:—The question of compensation being a detail of prohibition, the right time to discuss it is when the details of a prohibitory measure are before the House.

Mr. MONCRIEFF. I wish to ask if that motion is in order. It does not seem to be at all pertinent to the main motion.

Mr. DEPUTY SPEAKER. The proposition is that the words of this motion be added to the motion, and it is pertinent to the main motion, I think.

Mr. CASEY. I regret to have to differ from my hon. friend with whom I agree on most matters, and with whom I think I agree on the main principle involved in the question before the House. I differ from him as to whether compensation is a detail of the principle of prohibition, or a part of the principle of prohibition. For my part I do not think it is a detail; I believe it is a part of the principle. In voting against the motion of my hon. friend from Lanark (Mr. Jamieson) as I said I would, I do not vote against the principle of prohibition; I merely vote that the country is not now ripe for prohibition; but neither now or later, I shall not, unless I become a different man from what I am, vote for prohibition unless it is accompanied by a reasonable measure of compensation. The liquor business has hitherto been as legal a business as any other in the country; and when we remember the precedent that the British Government set by compensating the owners of slaves, when she saw fit to abolish slavery in the West India Islands, I think we cannot honestly declare ourselves in favor of prohibition without compensating those who will lose money by the passage of such a measure. Consequently, feeling that this is a matter of principle and not of detail, I shall be obliged to vote against the amendment of my hon. friend.

House divided on amendment of Mr. Fisher (above).

YEAS :

Messieurs

Amyot,	Edwards,	Mills (Annapolis),
Audet,	Eisenhauer,	Mills (Bothwell),
Bain (Wentworth),	Ellis,	Mitchell,
Baird,	Fiset,	Mulock,
Barron,	Fisher,	Paterson (Brant)
Béchar,	Foster,	Perry,
Bergeron,	Gauthier,	Platt,
Bernier,	Goeffrion,	Préfontaine,
Borden,	Gigault,	Parcell,

Mr. FISHER.

Bourassa,	Gillmor,	Putnam,
Boyle,	Guay,	Robertson (King's, P E I),
Brien,	Hale,	Robertson (Shelburne),
Cameron,	Holton,	Robillard,
Campbell (Kent),	Innes,	Ste. Marie,
Cartwright (Sir Ric'd),	Jamieson,	Scriver,
Casgrain,	Jones,	Semple,
Charlton,	Kirk,	Somerville,
Choquette,	Labelle,	Thompson,
Cimon,	Landry,	Trow,
Clayes,	Lang,	Turcot,
Colby,	Langelier (Montmor'y),	Waldie,
Cook,	Langelier (Quebec),	Watson,
Couture,	Laurier,	Weldon (Albert),
Davies,	Lavergne,	Welsh,
De St. Georges,	Lovitt,	Wilmot,
Desaulniers,	Macdonald (Huron),	Wilson (Elgin),
Dessaint,	McIntyre,	Wilson (Lennox),
Doyon,	McMillan (Huron),	Wood (Westmoreland),
Duchesnay,	McMullen,	Wright,
Dupont,	Mallory,	Yeo.—91.
Edgar,		

NAYS :

Messieurs

Armstrong,	Guillet,	Patterson (Essex),
Bain (Soulanges),	Haggart,	Perley (Assiniboia),
Bergin,	Hall,	Perley (Ottawa),
Bowell,	Hesson,	Pope,
Brown,	Hickey,	Porter,
Bryson,	Ives,	Riopel,
Burns,	Kenny,	Robertson (Hastings),
Cargill,	Kirkpatrick,	Roome,
Carling,	Labrosse,	Ross,
Carpenter,	Langevin (Sir Hector),	Scarth,
Caron (Sir Adolphe),	Livingston,	Shakespeare,
Casey,	Macdonald (Sir John),	Skinner,
Chisholm,	MacDowall,	Small,
Cockburn,	McCulla,	Smith (Ontario),
Costigan,	McDonald (Victoria),	Sproule,
Coughlin,	McDougald (Picton),	Stevenson,
Coulombe,	McDougall (C. Breton),	Taylor,
Carran,	McGreevy,	Temple,
Daly,	McKay,	Thérien,
Daoust,	McLellan,	Tisdale,
Davin,	McMillan (Vaudreuil),	Tupper (Picton),
Davis,	McNeill,	Tyrwhitt,
Dawson,	Madill,	Vanasse,
Denison,	Mara,	Wallace,
Desjardins,	Masson,	Weldon (St. John),
Ferguson (Leeds & Gren)	Moncreiff,	White (Cardwell),
Girouard,	Montague,	White (Renfrew),
Gordon,	Montplaisir,	Wilson (Argenteuil),
Grandbois,	O'Brien,	Wood (Brockville).—88.
Guilbault,		

Amendment agreed to.

House divided on motion of Mr. Jamieson, (p. 842,) as amended.

YEAS :

Messieurs

Bain (Wentworth),	Hale,	Purcell,
Baird,	Holton,	Putnam,
Barron,	Innes,	Robertson (King's, P E I),
Borden,	Jamieson,	Robertson (Shelburne),
Bourassa,	Kirk,	Roome,
Boyle,	Landry,	Scriver,
Brien,	Lang,	Semple,
Bryson,	Lavergne,	Shakespeare,
Campbell (Kent),	Lovitt,	Smith (Ontario),
Charlton,	Macdonald (Huron),	Somerville,
Cimon,	McIntyre,	Stevenson,
Clayes,	McMillan (Huron),	Taylor,
Colby,	McMullen,	Turcot,
Cook,	Madill,	Waldie,
Couture,	Mallory,	Watson,
Davies,	Mills (Annapolis),	Weldon (Albert),
De St. Georges,	Moncreiff,	Welsh,
Edgar,	Mulock,	White (Renfrew),
Edwards,	Paterson (Brant),	Wilmot,
Eisenhauer,	Perley (Assiniboia),	Wilson (Lennox),
Fisher,	Perry,	Wood (Westmoreland),
Foster,	Platt,	Wright,
Freeman,	Porter,	Yeo.—70.
Gillmor,		

NAYS :

Messieurs

Amyot,	Ellis,	Mara,
Audet,	Ferguson (Leeds & Gren)	Masson,
Bain (Soulanges),	Fiset,	Mills (Bothwell),

Baker,	Gauthier,	Mitchell,
Béchar, d,	Geoffrion,	Montague,
Bergeron,	Gigault,	Montplaisir,
Bergin,	Girouard,	O'Brien,
Bernier,	Gordon,	Patterson (Essex),
Bowell,	Grandbois,	Perley (Ottawa),
Brown,	Guay,	Pope,
Burns,	Guilbault,	Préfontaine,
Cameron,	Guillet,	Reid,
Cargill,	Haggart,	Rinfret,
Oarling,	Hall,	Riopel,
Carpenter,	Hesson,	Robertson (Hastings),
Caron (Sir Adolphe),	Hickey,	Robillard,
Cartwright (Sir Ric'd),	Ives,	Ross,
Casey,	Jones,	St. Marie,
Casgrain,	Kenny,	Scarth,
Chisholm,	Kirkpatrick,	Skinner,
Choquette,	Labelle,	Small,
Cockburn,	Labrosse,	Sproule,
Costigan,	Langelier (Montmor'ncy),	Temple,
Coughlin,	Langelier (Quebec),	Thérien,
Coulobme,	Langevin (Sir Hector),	Thompson,
Curran,	Laurier,	Tisdale,
Daly,	Livingston,	Trow,
Daoust,	Macdonald (Sir John),	Tupper (Pictou),
Davin,	MacDowall,	Tyrwhitt,
Davis,	McCulla,	Vanasse,
Dawson,	McDougald (Pictou),	Wallace,
Denison,	McDougall (O. Breton),	Ward,
Desaulniers,	McGreevy,	Weldon (St. John),
Desjardins,	McKay,	White (Cardwell),
Dessaint,	McLellan,	Wilson (Argenteuil),
Doyon,	McMillan (Vaudreuil),	Wilson (Elgin),
Duchesnay,	McNeill,	Wood (Brockville).--113.
Dapont,		

Motion negatived.

Mr. MILLS (Bothwell). The Government might be disposed to inform the House, seeing it has declared in favor of the Canada Temperance Act, whether they intend proposing any amendment to that Act this Session, and whether they are prepared to hand over the revenues derived from fines to the Local Governments of the different Provinces, with the view of a more efficient enforcement of the Act.

Sir JOHN A. MACDONALD. You will agree, Sir, this question is altogether irregular. If the hon. gentleman will put a notice upon the paper, he will get an answer. I move that the House do now adjourn.

Sir RICHARD CARTWRIGHT. Before the motion is put permit me to express the hope, which, I trust, will not be deemed irregular or out of place, that on a question of such importance as the question whether a sum of money, that may be estimated anywhere from \$50,000,000 to \$100,000,000, is to be paid by the people of this country as compensation for putting down the liquor traffic, the Government before we meet again, may have agreed on some policy. I notice there was great divergence of opinion among their ranks, and I think that, at any rate, whatever else may be said as to some of their motions, this is one in which the Government should know their own minds. I trust they will reach some conclusion on that question which involves if carried, and it was nearly carried, questions of the very highest magnitude, which we ought to discuss before separating.

Sir JOHN A. MACDONALD. The Government are quite aware of their responsibilities, and do not require any advice from the hon. gentleman as to how they should discharge them.

Mr. MITCHELL. That may be, but I do think that a question of that character which involves from \$50,000,000 to \$100,000,000 ought not to come before the House in that shape. The Government ought, before they allow a vote of that kind to be taken, to declare their policy in order that the country may know what it may have to expect.

Mr. MILLS (Bothwell). We will be able to discuss the question of compensation and how the revenues should go on the Estimates to-morrow.

Sir RICHARD CARTWRIGHT. In the meantime, perhaps the hon. gentleman will say what he proposes to take up to-morrow.

Sir JOHN A. MACDONALD. We will take what is on the Order Paper.

Motion agreed to, and House adjourned at 12:55 a.m. (Tuesday).

HOUSE OF COMMONS.

TUESDAY, 14th June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

ROYAL VICTORIA HOSPITAL.

Mr. CURRAN moved first reading of Bill (No. 150) to incorporate the Royal Victoria Hospital (from the Senate).

Motion agreed to, and Bill read the first and second times.

PRINTING COMMITTEE'S REPORT—PARLIAMENTARY STATIONERY.

Mr. BERGIN moved the adoption of the third and fourth reports of the Joint Committee of both Houses on the Printing of Parliament.

Mr. CHAPLEAU. I do not think this report should be adopted now. There is a recommendation in the report which is in contradiction to the statute of last year, a portion of which the committee asks to be repealed. I think there is a great inconvenience in that. I do not like to go into details now, but a great deal of abuse may be introduced by a change of the law passed last year. I do not see that the law which was passed cannot be applied with a due regard to the comfort and the demands of both Houses of Parliament. The clause it is intended to repeal is the one which says that the stationery shall be supplied for both Houses of Parliament upon the demand of the clerk or of the committee charged with that matter—of those who are, in fact, dealing with the business of the members. It is not right for me to speak of what has been done in another House, but I know that something has crept in there which should be repressed, and which the law of last Session was intended to repress. At present, I only say this. I could not take the responsibility of asking the House to reject the report of the committee, but, certainly, an attempt is made which is a step not in the right direction.

Mr. DAVIES (P.E.I.). I understand that the motion of the hon. gentleman embraces the resolutions which the committee report as recommendations to the House, and I quite concur with the remarks of the Secretary of State that it is better to let the stationery be supplied on the responsibility of those to whom we are to look in this matter, and not to leave it to each House of Parliament. There has been a good deal of extravagance under the old system, and no one knew whom to blame for that. Now, there is a check provided which I think should be maintained. While this subject is under consideration, I wish to call the attention of the House to the manner in which the Sessional Papers are indexed. This is a matter of no small importance. I have found it almost an impossibility to ascertain from the index where any particular document is to be found. I think that it appears that every human ingenuity has been exercised to devise a system of indexing which no ordinary mind can possibly understand. I cannot understand why the index system of our Sessional Papers cannot be plain and simple, so that it will afford, as was intended, an indi-

cation of where the documents in those papers can be found. I am sure I am but voicing the opinion of a large number of members of the House, when I say that index is very unsatisfactory. I think it could be improved, and I take this opportunity of bringing the matter to the attention of those who are more or less responsible for the preparation of the index.

Mr. MILLS (Bothwell). I would like to ask the Secretary of State whether the staff of officers that are required now in the House to distribute the stationery and other supplies amongst the members, will not still be required; whether there will not be two different sets of officers to pay instead of one, whether the expenditure will not exceed the saving, and whether there will not be, possibly, an inconvenience in not having the stationery under the control of the House? I dare say the Government, in bringing down this proposition, have considered the whole subject with care, and I think, before they ask the House to make the change, and to depart from the view of the Printing Committee, they ought to give very substantial reasons. Now, we have not that information before the House; we have only a recommendation by the Committee on Printing, which, I suppose, is made after very full discussion and consideration of the subject; and we have a wholly different one made by the Secretary of State.

Sir JOHN A. MACDONALD. Perhaps, at the present time, the best plan is to adopt the report except this clause, and let that be considered another time.

Mr. BERGIN. One object the committee had in view was to meet the contingency, that unless there was some change, the supply of stationery for the next year could not be obtained in time. The time has now arrived when the supply of stationery for the use of the House for the next year should be ordered, and as the printing establishment has not been commenced, we thought something should be done now. We have no objection to allow the rest of the report to be adopted without that clause, because it is necessary that it should be adopted in order to obtain our supply of paper.

Mr. CHAPLEAU. My hon. friend is under a misapprehension. The printing establishment is not working now, but the Stationery Office is established, and the machinery is quite complete. As I said last year, I now repeat, that the time has now come to order the supply of stationery for next year for the House. What I said was this: Give your orders, say what you require; and we know very well that by giving definite orders in this way, we would prevent the repetition of abuses that have occurred. What we require in respect to papers and other articles, will be bought and supplied, and will be bought on better terms and with more economy by the Stationery Office, than when ordered in small quantities by each House. That is what I said last year, and I think it is quite reasonable. I believe that the Joint Committee would not have made that part of the report if it had been left only to the will and good sense of the members of this House.

Mr. DAVIES (P.E.I.) Is the increase of salary to be adopted on that recommendation?

Sir JOHN A. MACDONALD. Yes.

Mr. MILLS. How is it to be when the paper is to be ordered? Is each individual member to give the order to the Stationery Office?

Sir JOHN A. MACDONALD. Oh, no.

Mr. MILLS (Bothwell). What is to be done? We have not the information necessary, it seems to me, to justify the House in expressing an opinion on the report, and we are called upon to express a different opinion by the Secretary of State.

Mr. DAVIES.

Mr. CHAPLEAU. I have already stated that the members of the House will give their orders to the Stationery Office, saying what quantities they require, and the Stationery Office is only the purchaser for both Houses.

Mr. SPEAKER. Carried.

Mr. DAVIES (P.E.I.) Do we understand the report is carried without that clause? I speak of the clause recommending an increase of the salaries of the several officials mentioned in it?—because if the recommendation is not adopted, I would like to know whether there would be any necessity of increasing the salaries.

Reports concurred in, except that portion of the Third Report relating to stationery.

SUPPLEMENTARY ESTIMATES.

Sir CHARLES TUPPER presented Messages from His Excellency the Governor General.

Mr. SPEAKER read the Messages, as follows:—

LANSDOWNE.

The Governor General transmits to the House of Commons, Supplementary Estimates of sums required for the service of the Dominion, for the year ending 30th June, 1887; and in accordance with the provisions of "The British North America Act, 1867," he recommends these Estimates to the House of Commons.

GOVERNMENT HOUSE,
OTTAWA, 13th June, 1887.

LANSDOWNE.

The Governor General transmits to the House of Commons, Supplementary Estimates of sums required for the service of the Dominion, for the year ending 30th June, 1888; and in accordance with the provisions of "The British North America Act, 1867," he recommends these Estimates to the House of Commons.

GOVERNMENT HOUSE,
OTTAWA, 13th June, 1887.

Sir CHARLES TUPPER moved that His Excellency's Messages, with Estimates, be referred to Committee of Supply.

Motion agreed to.

QUEBEC GRAVING DOCK.

Sir CHARLES TUPPER moved that, to-morrow, the House resolve itself into Committee to consider the following resolution:—

Resolved, That it is expedient to authorise the Governor in Council to advance to the Harbor Commissioners of Quebec, the sum of \$160,000, to enable them to complete the graving dock in the harbor of Quebec, and also a further sum of \$1,100,000 to enable them to complete the improvements in the said harbor; such sums to be raised and advanced in the same manner and subject to the same conditions as moneys have heretofore been raised and advanced for the like purposes.

He said: I beg to say I have the assent of the Governor General to this motion.

Mr. LAURIER. May I ask the Minister of Finance to place before the House the application made by the Harbor Commissioners of Quebec for this sum, and also the report as to the application made last year.

Sir CHARLES TUPPER. I will place on the Table of the House all information required in this matter.

Motion agreed to.

CROWN PAYMENTS FOR COMPENSATION OR COSTS.

Mr. THOMPSON moved that, to-morrow, the House resolve itself into Committee to consider the following resolution:—

That any moneys payable by the Crown for compensation or costs under "The Expropriation Act," may be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund.

Motion agreed to.

BUSINESS OF THE HOUSE.

Sir JOHN A. MACDONALD moved:

That for the remainder of the Session, Government Orders have precedence on Wednesdays, after Routine Proceedings and introduction of Bills.

Mr. MILLS. I would ask the hon. gentleman whether he will consent to have Order 39 of Private Bills (Bill No. 40, further to amend the Canada Temperance Act—Mr. Jamieson) placed among Government Orders, or at all events made the First Order of the day for Wednesday. The hon. gentleman will understand very well, after the very decided declaration of the House last night in favor of the principle of local option with respect to temperance, and as it has been stated by the temperance people over and over again that the measure as it now stands is in some respects defective, and this measure of the hon. member for Lanark (Mr. Jamieson) is intended to remove those defects and amend the Act—I desire to enquire whether the Government will, if they take Wednesday from private members, allow that Bill to be taken up and dealt with by the House. The hon. gentleman will see that unless this is done, there will be no possibility of reaching it if the Government is allowed to take Wednesday.

Sir JOHN A. MACDONALD. I do not think at this period of the Session I can definitely agree to interrupt Government measures by taking any of the Public Bills out of their order. I hope, as we have now Tuesday, Wednesday and Thursday, we may make so much progress, then, perhaps I may be able to do that. I have no desire to prevent the discussion of the measure; but, I think, we must press the Government business until we get on considerably further.

Mr. MILLS. The hon. gentleman knows that his view was that this measure is one of such importance, that it ought to be dealt with by the Government. I think the hon. gentleman voted that way on one occasion. I can show him in the Journals of the House that such was the view he expressed.

Sir JOHN A. MACDONALD. The hon. gentleman had positive proof by the voting yesterday that this cannot be made a Government measure.

Mr. FISHER. I regret that the hon. gentleman who has charge of the Bill is not present this afternoon, for if he had been present I would not have taken upon myself to say anything on the subject. But as seconder of the motion I must regret exceedingly that the Government, by taking the only day for the rest of the Session on which this motion could be reached, should practically prevent our having an opportunity of discussing it and passing it through this House. I would draw the attention of the leader of the Government to the fact that two Sessions ago this Bill, or one identical with it, was passed by this House, and it was only in consequence of the unfortunate obstruction of the Senate that it did not become law. But after the overwhelming vote last night in favor of the retention of the Canada Temperance Act, every one who has at heart the interests of the community, and especially those hon. gentlemen who last night drew such vivid pictures of the state of lawlessness, as they put it, that prevailed in Scott Act counties, ought to be in favor of such a measure as would tend to put an end to that state of lawlessness. I may say from experience, and from knowledge of the question from the temperance point of view, that unless some such measure is passed by Parliament, the reproach which is to-day cast upon the Canada Temperance Act will become more and more strong. I say this from the temperance standpoint. I say it because I am certain this is in consequence of certain small defects which this Parliament can remove, and which I believe Parliament would remove if it were given the opportunity by the passage of the Bill.

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I regret extremely that we cannot have an opportunity to pass this Bill, and I urge very strongly on the Government that we should be afforded an opportunity to do so. What the hon. Premier has just stated, I am afraid will not come about. I am afraid that if Government business is very rapidly pushed forward, the only result will be that the House will prorogue more quickly than it otherwise would, and no measure such as this will be allowed to stand in the way of prorogation. If the order was arranged so that this Bill was made the First Order on Wednesday, the House would accept the motion, and the Bill will be passed very rapidly so as not materially to interfere with the Government business.

Sir JOHN A. MACDONALD. The hon. gentleman is surely not serious in thinking that the Government would ask for Wednesday and then hand it over for the discussion of any one measure. That Bill will take one day and perhaps many days.

Mr. FISHER. I do not think so; a year ago it took only a portion of a day.

Sir JOHN A. MACDONALD. If there was a general demand on the part of the House we might give next Monday to it.

Mr. FISHER. If the hon. gentleman will move that this Bill stands the First Order of the day on Monday next I shall be very glad, indeed.

Mr. IVES. I should like to ask the hon. member for Brome (Mr. Fisher) how this Order was allowed to stand on two different occasions when it was reached in the ordinary course. The hon. member for Lanark (Mr. Jamieson) did not seem in a great hurry with respect to the Bill. It has been called on two different occasions to my knowledge, and the answer has been, "stand," and yet the hon. gentleman now comes here with a rush to have the Bill taken up. It appears very much as if it were a continuation of the effort to make political capital out of it by trying to put the Government and members of this side of the House in the position of throwing obstructions in the way of reaching the Bill. It was reached three weeks ago in the ordinary course, but the sponsor of the Bill said "stand." But now, when the House is very anxious to finish public business and prorogue, the hon. gentleman is very anxious that a special day should be set apart for this Bill.

Mr. FISHER. In reply to the hon. gentleman I desire to say that I was not present, on one occasion, when the Bill was asked to stand.

Sir JOHN A. MACDONALD. The whole list will be called.

Motion agreed to.

CONTROLLERS OF CUSTOMS AND INLAND REVENUE.

Sir JOHN A. MACDONALD moved that, on Wednesday next, the House resolve itself into Committee to consider a resolution:

That it is expedient that the salaries of the Controllers of Customs and Inland Revenue, respectively, be fixed at five thousand dollars per annum.

Motion agreed to.

CHANGES IN CUSTOMS LAWS.

Mr. CURRAN asked, Is it the intention of the Government, during the present Session, to effect any change in the Customs laws, in the direction suggested by the members of the Board of Trade of Montreal, at an interview with the Minister of Customs, in January last?

Sir JOHN A. MACDONALD. The Government have had the question of amendments to the Customs Act under consideration, but, as the subject is of so much importance, and considering the desire of members to have Parliament prorogued at as early a day as possible, it has been thought best to defer action until the next Session of Parliament, thus giving full time to consider the whole subject during the recess.

WAYS AND MEANS—MONTREAL COTTON CO.

Sir CHARLES TUPPER moved that the House again resolve itself into Committee of Ways and Means.

Mr. PATERSON (Brant). Before you leave the Chair I desire to bring to the attention of the House a matter which I think requires some explanation from the Minister of Customs, which, I have no doubt, he will be glad to afford. I allude to the irregularities with reference to the Montreal Cotton Company, to which I referred some time ago, and upon which I offered a motion to the House. The Minister of Customs then said that, as soon as the matter was in such a position that he could bring the papers down, he would not only be willing but glad to do so, and on the 7th of the month he brought down a return. I have looked over that return, and it seems to me that there are questions involved in it, as to the administration of the Department, which will, perhaps, warrant the House in giving the matter a little consideration. You, Sir, will agree with me, and I have no doubt the Minister of Customs will agree with me, that in the administration of the Customs laws there should be one law for all; that the rule which prevails with reference to one party should prevail with reference to the other party. It would almost seem to me as if a course had been pursued in this case somewhat different to what has been pursued in other cases. As I do not desire to be tedious, I would summarise the statements made in this return, in order to be brief, only that, perhaps, I should not in that way do the subject justice, and the Minister might think I had not correctly stated the facts, or made the right deductions from them. I think, therefore, it is better, as it is not a long document, that I should read it, so that the House may be in possession of the facts. I will first refer as to how the matter came under the notice of the Minister of Customs. It came before him by a letter from the special agent's branch, Montreal, dated 15th April, 1887; and it is addressed to J. Johnson, Commissioner of Customs, Ottawa, Ont.:

"I have the honor to report that on the 4th instant, I received information under oath, to the effect that the manager of the Montreal Cotton Company was in the habit of importing from the United States certain dutiable dyes and chemicals for use in the mills of that company, which are situated at Valleyfield, Que., and entering such dyes and chemicals free by means of false invoices especially prepared by the exporter in the United States, at the request of said manager, whose name is William Wilson.

"Amongst other things specifically sworn to are, that on or about 25th June, 1886, the said William Wilson, in his capacity as manager of the Montreal Cotton Company, ordered from F. H. Maddocks, a broker in dye stuffs and chemicals, of 38 Kilby street, Boston—10 barrels extract hypernic, 10 barrels extract sumac, and 10 barrels nitrate of iron—all of which are dutiable at 20 per cent.; and that the said goods, by the order of Wilson, were invoiced and shipped by Maddocks as 20 barrels extract of logwood and 10 barrels iron liquor, both of which are free of duty under the tariff. That the extract hypernic, extract sumac, and nitrate of iron were falsely entered as above described at Customs with the intent and for the purpose of defrauding the Customs revenue of the Dominion of Canada.

"That on or about the 20th September, 1886, a chemist of the Montreal Cotton Company at Valleyfield, by instructions of Wilson, the manager of the company, ordered from Henry A. Gould & Co., manufacturers of dye stuffs, 17 Pearl street, Boston, 200 barrels brown dye, upon which there is an import duty of 20 per cent., to be invoiced and shipped as jet black dye, which is free of duty.

"That a considerable portion of the brown dye was invoiced, shipped and entered at Customs as jet black dye with the intent and for the purpose of defrauding the Customs of the Dominion of Canada.

"The information goes on to state that extract of hypernic, fustic, sumac, hematein, &c., all liable to duty, were imported under the general name of extract logwood, in barrels so branded, but marked in addition with an initial letter intended to designate the true contents, for the convenience of the manager of the mill, and that a card would be found in the store-room adjoining the laboratory whereon, written in blue pencil, was the following, viz.:—"L," Logwood; "B," Sumac; "F," Fustic; "H," Hematein; "Hy," Hypernic, or similar signs or letters; and that the value of the goods ordered during the year 1886, and falsely invoiced and entered, amounted to upwards of \$14,000.

"Investigation at the company's mill at Valleyfield proves the information as to the ordering and entering of the goods under a wrong description to be correct; and in the order book at the mill, under date of 28th October, 1885, is found an order to F. H. Maddocks, referred to above, for 50 barrels hematein, to be invoiced "extract logwood," and marked "H." The said goods were shipped as directed by the Boston Dyewood and Chemical Company, under invoice to the Montreal Cotton Company, by order of the said Maddocks, the broker, under date of November the 5th, 1885, and entered at Lacolle, per entry No. 132, on 10th November, 1885, free of duty. (See entry and invoice annexed.)

"Also an order to H. A. Gould & Co., Boston, 2nd August, 1886, for 10 barrels of cutch (a prepared dye) to be shipped via Canada Atlantic Railway, with three invoices to be invoiced as "jet black dye," the said ten barrels were shipped as directed under invoice to Montreal Cotton Co., dated 4th August, 1886, and entered at Lacolle free of duty per entry No. 97, on the 10th August, 1886. (See entry and invoice annexed.)

"Again an order to H. A. Gould & Co., Boston, 8th October, 1886, for 200 barrels brown dye, to be marked in invoice as "jet black dye." At least 75 barrels of the above order were entered free of duty at Lacolle, that is to say, 25 barrels, per entry 180, 21st October, 1886; 25 barrels, per entry 234, 11th December, 1886; 25 barrels, per entry 274, 27th January, 1887. (See invoices and entries annexed.)

"Mr. Wilson, the manager, on being questioned at the mill, admitted that orders had been given to shippers to invoice the goods referred to as extract of logwood, with a designating letter, and as jet black dye, respectively; and that a card, as alleged, had formerly been posted in the laboratory store-room. He claimed to be under the impression that as the bases of the articles were free in some cases and used for similar purposes as free dyes in others, all should be free, and invoices and entries should be made accordingly.

"I called upon Mr. A. F. Gault, president of the Company, and explained the circumstances to him, and informed that gentleman that I was under the impression that their manager at Valleyfield was defrauding both the revenue and the company. Mr. Gault told me that he thought I was wrong in my impression, and that he had a short time previous, owing to a dispute between the manager and chemist, learned that certain articles had been entered under a wrong description, from a strict interpretation of the wording of the tariff, but that such wrong entering was not previously known to him, and was at once stopped. Mr. Gault gave me a letter to Mr. J. W. Howard, the secretary and treasurer of the company, with directions to afford me every facility to carry on the investigation.

"On examination of the books of the company, I at once found that my impression that the duty money accruing upon the goods entered free, but which should have paid duty, had been paid to Mr. Wilson, and not paid over to the Customs, was erroneous.

"I also found that the 10 bbls. of iron liquor and 20 barrels extract of logwood entered at Lacolle per entry No. 68, on 20th July, 1886, free, were in reality 10 barrels nitrate of iron, 10 barrels extract sumac and 10 extract hypernic, as alleged in the deposition referred to in the early part of this report, and that the barrels were marked with designating letters as alleged (see invoice and entry annexed), and observed price of alleged "extract logwood" "E" in said invoice.

"It appears from invoices and entries herewith that the use of the term "extract logwood" and designating letters to secure free entry of dutiable goods, commenced with an invoice from the Boston Dyewood and Chemical Company, dated Boston, 28th September, 1885, attached to Lacolle entry No. 138 of that year, and that brown dye ceased to be entered as jet black dye, with Lacolle entry No. 299, 26th February, 1887, and that duty was paid upon fustic and hypernic previous to September 1885, so that the wrong entering may be considered as having taken place between those dates.

"The total value of goods covered by attached invoices entered at Lacolle, in regard to which any wrong entering has been practiced, amounts to \$6,937.15, but it is stated by the informer that a much larger amount is liable to forfeiture.

"As no goods have been seized, all wrongly imported having, it is supposed, gone into consumption, I could take no other course than to report the matter for the action of the Department.

"I have the honor to be, Sir,
Your obedient servant,
"JAMES T. WOLFF,
"Special Agent."

"I have the honor to be, Sir,
Your obedient servant,
"JAMES T. WOLFF,
"Special Agent."

In this way the matter was brought to the attention of the Minister of Customs. I do not find that any action of the Government was taken in the way of communications until subsequent to the receipt of letters from the Valleyfield Company.

Mr. BOWELL. Is there not another report, subsequently, from Mr. Grose?

Mr. PATERSON (Brant). Yes, but the point I am making now is, that I have failed to perceive that any com-

munication was had with the manager or the directors of this company by the Department at Ottawa, prior to the receipt of letters from the Montreal Company; and I think the House might be put in possession of the communications that passed between the Customs Department and the Montreal Cotton Company, which, I suppose, must have passed before they wrote their letter. Next in order is the following:—

"MONTREAL COTTON COMPANY,
"VALLEYFIELD, P.Q., 26th April, 1887.

"Hon. MACKENZIE BOWELL,
"Minister of Customs, Ottawa.

"DEAR SIR,—Under instructions from our president, I have the honor to enclose the company's cheque for _____ in payment of duties.

"I am, yours obediently,
"WM. WILSON,
"Pro Montreal Cotton Co."

I next find the following letter:—

"THE MONTREAL COTTON CO.,
"MONTREAL, 28th April, 1887.

"Hon. Mackenzie Bowell,
"Minister of Customs, Ottawa.

SIR,—The president has instructed me to inform you in connection with the cheque of this company for eighteen hundred and twenty-four dollars and seventy-two cents, enclosed to you in Mr. Wilson's letter of the 26th current, that, on a careful reexamination of the original statement of imported dye stuffs submitted to you, which it appears was made up very hurriedly owing to pressure of time by reason of the mails to Valleyfield being unavoidably delayed, he regrets to find that certain items which should have been included therein, were inadvertently omitted.

"An amended statement was, therefore, ordered to be prepared by the manager, and upon the figures shown after such amendment being made, the amount of duty, eighteen hundred and twenty-four dollars and seventy-two cents, is based.

"The statement as it now stands is believed to be correct in every particular.

"I am, Sir,
"Your most obedient servant,
"J. W. HOWARD,
"Secretary-Treasurer."

Then there is a memorandum of the same date:

"THE MONTREAL COTTON CO.,
"Montreal, April 28th, 1887.

"Memorandum.—If the figures of the cheque, \$1,824.72, have not been inscribed in Mr. Wilson's letter of 26th April, 1887, in the space therein provided, will you kindly have them inserted.

"Your obedient servant,
"J. W. HOWARD,
"Sec.-Treas."

"The Hon. the Minister of Customs, Ottawa."

That is a point on which I should like a little information, how it was that they sent a cheque to the Department in blank, and then in a memorandum asked the Department to fill up the blank? The Minister will have observed that allusion is made in this letter to an original statement that was submitted to him. That original statement I have not been able to find in the papers, and it seems to be important that it should be before us, as well as the correspondence which, I think, must have left the Customs Department at Ottawa, to bring forth the letters of the 26th and the 28th of April. Then I think the next correspondence is on 30th April, as follows:—

"1275 of 1887. "OTTAWA, 30th April, 1887.

"J. A. GROSE, Esq,
"Special Customs Officers, Montreal, Que.

"SIR,—I am directed by the hon. the Minister of Customs to send to you in Mr. Wolff's absence file above noted re the entries made by the Montreal Cotton Company under false names, of certain dye stuffs subject to duty, and to instruct you to make a full and careful investigation into the matter and to report thereon, upon the statements made in the secretary-treasurer's letter of the 28th inst., which seems to indicate that a statement was made up by the manager of the company showing the extent of the fraudulent entries, but which statement was not enclosed. Your early and careful attention to this matter is required.

"I have the honor to be, Sir,
"Your obedient servant,
"W. G. PARMELEE,
"Assistant Commissioner."

It would appear from that letter that the amended statement referred to in the secretary-treasurer's letter of the 28th April, had not been forwarded to the Department, so that that letter to Special Agent Grose, which I have just read, seems to have brought this reply from him:

"MONTREAL, May 18th, 1887.

"J. JOHNSON, Esq,
"Commissioner of Customs,
"Ottawa, Ont.

"SIR,—I have the honor to return herewith file No. 1275 re certain dye stuffs imported by the Montreal Cotton Co.

"I now attach the statement of the secretary-treasurer, Mr. J. W. Howard, which is made mention of in his letter of 28th April, 1887. I have gone through this statement carefully, and compared it with both Lacolle and Montreal entries, and find it correct. You will notice by Mr. Special Agent Wolff's report that he gives a total value of goods entered at Lacolle as \$6,897.15. In justice to the company I may add that they called my attention to the 77 barrels of logwood, A, B, and C, purchased from F. X. Maddocks, of Boston, the value of which is \$3,219.85, as per invoice and entries attached, and which should have paid 20 per cent. duty, but was entered at the port of Montreal free. This makes a total value of goods wrongly entered \$9,173.75, all of which were entered at Lacolle, with the exception of the 77 barrels of which I have already made mention.

"I have the honor to be, &c.,
"JOHN A. GROSE,
"Special Officer."

Now, I would desire to call the attention of the Minister of Customs to the fact that the two amounts mentioned here, \$6,997.15 and \$3,219.85—the first being the amount according to Mr. Wolff's report, and the second, the amount they themselves brought to the notice of the Department—make a total of \$10,217 instead of \$9,173.75. I am at a loss to understand how the special agent can certify that he went over these accounts and found them all correct, when he gives Mr. Wolff's figures as correct and those of the company's as correct, and makes them add \$9,173. However, that is the letter. He sends up a statement that they had omitted to send, which I find among the papers, and its total is, he says, \$9,173.75. 20 per cent. upon that would come to more than \$1,824.72, which is the amount of the company's check, but I have checked the figures over, and find the addition of their figures in their statement gives \$50 more than the amount. Taking that off, it would leave \$9,173.75, the duty upon which of 20 per cent. would amount to the amount of the cheque, \$1,824.72. Now, it would appear from this return that there were frauds practiced upon the Department. They are so termed, and I think it would be difficult to call them by any other name. It is recited that goods were deliberately ordered, that the orders were sent to parties for certain articles, and that they were to be invoiced as other articles, the names under which they were invoiced being goods free of duty. In addition to putting the wrong articles in their entries, they were to mark initial letters on the different packages, so that the manager of the mill would be able to know what the article was that he received. That was practiced apparently for two years, as far as the discovery has been made, and the value of the goods is placed at \$9,173.75. The manager admitted to Mr. Wolff that such was the case, and the president, Mr. Gault, admitted that, through a dispute between two of the officers, it had come to his knowledge, and he had stopped it. The point that seems to be rather strange is that, in a case like that, where the frauds are plain and palpable, and where they are admitted by the Government officers, the Government should accept a cheque for the payment of duty, and thus apparently close the case. If such be the rule of the Department, if that be the way these matters are managed, of course the officials have only followed the rule; but, if I remember rightly some transactions that took place in the Customs Department during last season, other parties were not treated in this way. There were cases in which the parties stock was seized, and fines and penalties imposed on them. I know of many cases myself in which the entries had been

made, I believe, in good faith, by importers who had presented, not fraudulent, but correct invoices, and in which the goods had been seized simply because, though the invoice was correct and the goods purchased at the invoice prices, it was alleged that they were entered at undervaluation; and the ground for this allegation was that the goods were sold at higher prices in the market than the prices at which they were bought. In some cases the Customs Department have fined heavily parties in circumstances like these, and in other similar cases the Department has absolutely forfeited the goods. What I want to know is whether one rule is to prevail for one party and another for another party. I would like to know what explanation is to be had with reference to this matter. Perhaps some explanation can be given by the Minister, and I think it is desirable, in the public interest, that he should be able to explain this matter, as a feeling of uneasiness will be produced in the minds of the people if they should have reason to suspect that there was one law applied by the Customs Department for the punishment of false entries in one case, and another law applied in another case. All that I have before me is that this company sent a cheque to the Department, and that the special agent of the Department says the company's statement is correct and their cheque covers the amount of the duty. This happened on the 18th of May, 1887, and on the 7th of June, the Minister brings down the statement to the House. There is another thing that requires explanation, and that is the two letters subsequently sent to the Minister of Customs:

"The Hon. MACKENZIE BOWELL,
"Minister of Customs, Ottawa.

"SIR,—I am instructed by my board to enclose you the accompanying resolutions passed at its to-day's meeting, and to which due attention will be given.

"I am further instructed to request that you will kindly afford the company the necessary time to make the intended investigation.

"I have the honor to be, &c,

"For the Montreal Cotton Co.,

"J. W. HOWARD,

"Secretary-Treasurer.

"MONTREAL, 3rd May, 1887."

"Resolutions passed at the board meeting of the company held at its office:

"Resolved, That this board learns with surprise and regret that the Customs Department charges irregularities in connection with the entries of certain dyes at Lacolle.

"That this board was wholly ignorant of such irregularities; that the directors severally shall, in the most formal possible way, put on record their complete ignorance of the transactions complained of, and that the president make an enquiry into the details of the whole matter, and place the information he may obtain before this board at its next meeting.

"J. W. HOWARD,

"Secretary-Treasurer.

"MONTREAL, 3rd May, 1887."

To what do they allude in this letter of 3rd May? I find no letter of the Department to their officers subsequent to that letter of 30th April and the reply thereto of the special agent. Why, on the 3rd May does the treasurer of the company ask the Government kindly to afford the company the necessary time to make the intended investigation. What investigation? What are we to understand by these words:

"That this board learns with surprise and regret that the Customs Department charges irregularities in connection with the entries of certain dyes at Lacolle."

When Mr. Wolff, on 15th April, says that he called upon Mr. Gault, the president of the company, and explained the circumstances and so on. I cannot turn to that at this moment, but I think I read that the President stated that he learned through a dispute that there had been irregularities, and that had to be put a stop to. Yet, on 3rd May, they declare:

"That the board was wholly ignorant of any such irregularities; that the directors severally shall, in the most formal possible way, put on record their complete ignorance of the transactions complained of; and that the president make an enquiry into the details of the whole matter,

Mr. PATERSON (Brant).

and place the information he may obtain before this board at its next meeting."

I am at a loss to understand why that resolution of 3rd May was passed, as well as some statements which are made in it, when I find that in the statement that was sent, dated 27th April, and the letter of 28th April, it is said that the amended statement is correct and true, and covers all the amount. Why, then, should a further investigation have been held, and at whose instance is it being held? It will be remembered that, on the 2nd May, the day before the last resolution was adopted by the company, I called the attention of the Minister to the subject under a notice of motion which I had at that time, when I moved for:

"Copies of all reports made to the Customs Department by any of its officers or special agents concerning irregularities committed by the Montreal Cotton Company; also, copies of all correspondence between the Department of Customs and any of its officers or special agents, and copies of all correspondence between the said Department or its officers or special agents and the manager or directors of said company in regard to such irregularities.

"Mr. BOWELL. It would be highly inconvenient at the present moment to bring down the papers moved by the hon. gentleman, for the reason that the matter is still under investigation. I may mention, however, for the information of the hon. gentleman and the information of the House, that one of the directors of that company wrote me the other day, stating that other irregularities had been discovered, and that he would see that a full report was made of all the facts, and I returned the report to the special officer, to which the hon. gentleman has called attention, to Montreal, in order that a further investigation might take place, so that the Department might be in a position to come to a proper decision on the whole case."

Now, it will be observed there, that the Minister said on the 2nd of May, that one of the directors wrote him that other irregularities had been discovered. He must have written him, of course, prior to the 2nd of May, and yet on the 3rd of May this resolution is passed by the board:

"That the board was wholly ignorant of any such irregularities and the directors shall, in the most formal possible way, put on record their complete ignorance of the transactions complained of, &c."

It seems to me that that report of the director to the Minister should be given to us, but I have failed to find it in the papers.

Mr. BOWELL. What is that?

Mr. PATERSON (Brant). The report of the director who reported, as the hon. Minister stated, that other irregularities were discovered.

Mr. BOWELL. Perhaps, if the word "report" is used there, I must have meant a letter. I got no formal report on the subject.

Mr. PATERSON (Brant). Well, that letter is not with the papers brought down, as far as I have discovered, and I think it would be important that that letter should be produced.

Mr. BOWELL. If any importance is attached to it, I will try to find it. I am sure that is simply the contents of it.

Mr. PATERSON (Brant). I have simply mentioned this matter. I will not take up any more time—I cannot, because I must hear the explanation of the hon. the Minister of Customs, which, I trust, will be explanatory; and, perhaps, by the time we reach the Customs items in the Estimates, he may have an opportunity of bringing down the correspondence and the other documents which seem to me to be material to this question, when we can further investigate it. The point to which I call the attention of the Minister now, is this, on which I would like to have his explanation, in reference to the settlement that appeared to have been made with this company. It is a case of fraud, not one of mistake, not one of entering goods under value, having a correct invoice, and yet being seized, as I have known them to be seized, the invoice being honest and the

price paid according to the invoice. I have known the goods in such a case as that to be seized and forfeited, and fines imposed in addition, while in this case the entries were fraudulently made. It is a case where goods were deliberately ordered—I want so and so; that is at a rate of 20 per cent. duty, but your invoice is under another name, which is admitted free of duty, and put a mark on the barrels by which I will know what it is when it comes. That appears to have been the case, and that was going on for two years. It has not been attempted to deny it, and it cannot be denied, yet the Minister, apparently, has accepted payment of the duty, \$1,824, in full of all this.

Mr. BOWELL. You will not find anything in the correspondence to prove that statement.

Mr. PATERSON (Brant). I find this. I find that the amount of the cheque is there. Of course it will be for the Minister to say that he is still further investigating that matter, but there is no further report of it. I call his attention to this. When I brought this up, he said he was not in a position to give the information at once, but he said:

"I have no doubt that, before the House rises, I will be in a position to give the whole facts in connection with the case to which the hon. gentleman has called the attention of the House, and also the decision of the Department upon it. I trust that with this information the hon. gentleman will withdraw his motion, at least for the present.

"Mr. PATERSON (Brant). Then I understand the Minister to say that he will submit to the House, as soon as he can, the information I ask for.

"Mr. BOWELL. Yes, just as soon as I am put in a position to enable me to come to a decision on the merits of the case."

There he states that he will not bring his report down until he will be in a position to come to a decision on the merits of the case. He has brought the report down. Therefore, I take it for granted that he is in a position to come to a decision on the merits of the case; and the only decision, as far as the papers show, that he has come to is that he has accepted the company's cheque for \$1,824, which is the amount of the duty payable on the goods which were falsely entered and which they were able to trace. I drew my deduction from that remark of the hon. Minister, and if I have not made a fair deduction, I shall be pleased to hear his explanation. I need not say to you, Mr. Speaker, or to the Minister of Customs, that there is nothing of personal malice in my motive. I do not know the gentlemen who are interested or anything about this matter, except that I have felt more than once—and after listening to the defence of the Minister of Customs, without desiring to press him unduly—it has been borne in on my mind that the decisions of the Department of Customs have not been uniform. I impute no motives, but I maintain that there should be one law and one rule for dealing with these cases. It is not fair in my judgment, as I understand it, pending the explanation the Minister may give, that, in certain cases of which I have a clear remembrance, goods have been taken by the Customs Department and forfeited and sold, and in other cases heavy penalties have been levied, not for fraudulent entries but for entries which were made in good faith on invoices which were *bond fide* invoices and on statements which were sworn to, but the goods were sold at a lower price than they could be obtained for elsewhere. When that was the case I find from the report brought down that another party made designedly a statement to defraud the Customs revenue by ordering goods that they wanted, and giving specific directions to have them called another thing in the invoice, and a cheque is accepted for the amount of duty that is found to accrue upon them, without even adding the interest. I think there ought to be some explanation with reference to that, and it would be well for the Minister to say what rule does govern, and whether a strict uniform rule is to be applied to all. I thought it desirable to bring this point before the Minister at the present time, from the fact that he has on the paper a notice of a Bill to

amend the Customs Act, and without pronouncing myself one way or another on the question now, I think it is a fair subject for discussion whether the Minister should not divest himself of the arbitrary power he has at present, and that in matters of false entries, fraudulent entries, entries of under-valuation, mistaken entries, and all disputes which may arise, he should not divest himself of the power he now holds.

Mr. MITCHELL. I think my hon. friend will find, with reference to the Customs Act, that the Minister did divest himself of this power. That was one of the things that I objected to when the Act was being amended. You recollect that I fought a whole night over that, and the Minister said he would divest himself of it. But the Act is imperative that the fines shall be imposed and paid. The hon. gentleman's point, to be well taken, should not be against imposing the fines the law imposes, but only that the Minister should divest himself of any discretionary power.

Mr. BOWELL. That is if the hon. gentleman has stated the case correctly.

Mr. PATERSON (Brant). I think the Minister will give me credit for having stated what I believe to be correct, and made the deductions which I drew from statements which he made in the House, from the fact that he said that he did not desire to bring down the papers until he was in a position to come to a decision on the merits of the case. He has brought down the report, and we have the information given to the House that he has not imposed any fines or penalties. But the fact remains that his special agent reports that he found everything correct, as he said in the statement. But the point I wish to bring out was this: if there is not to be a uniform system to be applied with reference to all by the Customs Department, there will be a demand for some other tribunal before which these cases should go, and in which an equal justice would be meted out to all. I think from all the information that the Minister has submitted to the House, this is a case in which he has dealt with these parties in a manner very much different from that in which he dealt with other parties, I think, even in the same city, no longer than one year ago. I will not say any more at present, but I presume I shall be permitted to reply to the Minister if he states anything that calls for a reply from me.

Mr. BOWELL. If constant repetition of one or two ideas in about an hour's speech would impress the importance of this subject on any one's mind, I think it ought to be tolerably well ground into me on this occasion. The two ideas suggested by my hon. friend, are: first, that there is an administration of the law for one party, and a different administration for another party, and, in order to impress me with that idea, the hon. gentleman has repeated it just five times. The second was, that goods have been seized and sold for under-valuation repeatedly, and in some cases confiscated, while there was no intent of fraud on the part of the importer who brought the goods into the country; that goods have been seized under those circumstances, where probably there was no fraud intended, and the penalty imposed by the law has been collected, that may be quite true. But there has been no case of confiscation of goods imported under such circumstances, where the party has not positively refused to comply with the provisions of the law. I have nothing further to say in reference to that point, because I do not desire to enter into the discussion of that question as fully as I would like to, and probably if we live long enough, we will discuss what amendments may be proposed to the Customs law when they are brought before the House. But I have this to say, that this is the first time during my occupancy of the position as Minister of Customs, that I have ever brought papers before the House until the

whole question was decided; and from what has resulted from laying these papers before the House on this occasion, I think I should be quite right, both in the interest of the parties, and in the interests of the country, to refuse to bring any more papers before the House in the half-settled state in which the present case is. If the hon. gentleman had studied the Customs law he would know that no matter how criminal a party may be, or how far he has violated the law, he has a certain time in which to put in his defence. I am quite sure that the hon. gentleman, with his ideas of fairness, will not find fault with the administration of the Department or with myself if, at the instance of their solicitors, I gave the parties time to put in a defence before I came to a decision and made a report to the Council as to the final disposition of the seizure. He must know, also, that my time has been fully occupied during the Session, in connection with my colleagues, in reference to matters pertaining to the general administration of the country, and more particularly in reference to the Estimates and Tariff, that I have not had so much time as I would have liked to have given to the consideration of this question. I may just as well tell the hon. gentleman that it is only yesterday that I received a number of affidavits from the president and directors of the company in relation to this very case, and I then gave orders to have them copied in order that I might lay them before the House along with the papers which are already before us; and until the defence was fully before me, it was impossible for me to come to any final decision as to what penalty would be imposed upon this company for having, through their manager, violated the Customs Act. Now, I can tell my hon. friend that that cheque was signed and sent. It was signed in blank, but I paid no attention to it. I handed it to the Commissioner with instructions not to fill in any blank or to have anything to do with it. He had no communication, directly or indirectly, with Mr. Howard (I think that is the name), the treasurer, in reference to that cheque. But upon receipt of that cheque and the letter accompanying it, in which attention was called, if my recollection serves me right, to further discrepancies they had discovered. I then decided to return the papers to Mr. Grose, Mr. Wolff not being in the country, in order to make a still further investigation and to report. No money has been accepted from the company in settlement of the fraud; for such, I think, I may fairly call it. No intimation has been given to the company that that cheque or any other amount would be received in consideration of what was due, either in the way of duties or as penalties. The hon. gentleman says he would like to understand why the company has taken such and such action. I am totally unable to tell him the reason. I have no knowledge of what induced them to call their board meeting, further than, perhaps, they wished to try and clear themselves. I made no suggestion, and no suggestion was made to my knowledge, from the Department, in reference to this matter. They acted solely upon their own responsibility. I desire to add that, when my officer came to me and told me this fraud had been going on, I said to him: "Be sure you are correct, and the moment you have evidence to substantiate the charges you have made, go to the president of the company and ask him to exhibit his books, in order that you may verify, if possible, the information which has been given to you. From my knowledge of Mr. Andrew Gault and those with whom he is associated, I am quite convinced he will not hesitate to lay the books before you, unless they were parties to the fraud." I could not bring myself to believe that gentlemen of their character, such men as Andrew Gault, Mr. J. K. Ward, Mr. Senator Thibaudeau and others of that class would lend themselves to the fraud, which had evidently been committed by the manager of their company.

Mr. BOWELL,

My surmises were quite correct. As soon as Mr. Gault's attention was called to it he laid the books before the special officer, Mr. Wolff, upon which he based his report. The statement made by the hon. member for Brant (Mr. Paterson) that it was a clear case of fraud, I do not deny, on the contrary, I am fully in accord with him; and just as soon as I have time to fully consider this question I shall be prepared to give my decision as the head of the Department. Should I give such a decision as has been intimated by the hon. gentleman, thereby administering the law in a manner so lenient to them while it has been rigidly enforced against others, then I will admit that the hon. gentleman will be quite correct in his insinuations that I was dealing out one measure of justice to one firm and another measure of justice to another firm. I have endeavored so far as the administration of this very unpopular branch of this Government is concerned, where the parties have been discovered as committing a fraud or parties in their employment, where they have shown every disposition to lay all the facts before the Department and the Government, to treat them as such men ought to be treated. I have, on the contrary, given instructions that where obstacles are thrown in the way by the destruction of the books or other means adopted in order to hide iniquities perpetrated by them, that the officers should take more energetic measures in order to arrive at the truth. The hon. gentleman has said that there is correspondence that has not been laid before the House. I know of no correspondence, except the letter to which he has referred, and in which he called my attention to the fact that other discrepancies have been discovered. The hon. gentleman has spoken of an original statement or an original communication. There is no such original statement, in writing, as that to which he has referred, and I can only account for the reference to it, from the fact that Mr. Gault, the manager, and one or two of those interested in the company—I forget all the names—came and had a personal interview with me, in which they placed a statement, orally, before me. It was not in writing. I can only imagine that the original statements referred to in that letter must have been that interview, which never was committed to paper. Now, as I have said, I received affidavits yesterday from Mr. Andrew Gault, Mr. J. K. Ward, Mr. Senator Thibaudeau, and I think from two or three others declaring that they had no knowledge that this fraud had been committed. They also ask at the same time, either by their attorney or by letter, I am not sure which, that I would give them sufficient time to have another personal interview and allow them to make personal explanations in regard to this matter. These facts I think will be held to justify the Customs Department in not coming to a decision as to the penalties which to be imposed until the parties, whom we have reason to believe were innocent, so far as they were individually concerned, have had an opportunity in the fullest possible manner of making an explanation. I do not think it is necessary for me to prolong this discussion. I have already pointed out to the House that no cheque has been accepted in payment of any sums. The cheque, I believe, is still in the hands of the Department, and is very likely to be found in the vaults in the custody of the commissioner, to whom I handed it. There has been no acceptance of that cheque, either in payment for duties or in liquidation of any penalties that may hereafter be imposed. In short, the Department has not come to any decision as to what penalties they will impose, whether they will acquit those people, whether they will accept the duties imposed, or whether they will act under the clause of the law which confiscates the full amount of the \$10,000 the duty paid, value of the goods falsely entered, or whether we will follow the manager for having made those improper entries.

As soon as time will permit and as soon as those parties have had the fullest possible opportunity of making explanation, which they have asked and which I certainly will grant, I will make decision, and I think it will meet the approval of the House if not of the hon. gentleman who has brought this question under its notice. The law will be administered in the case of these wealthy and prominent men and their manager, in the same manner as it has been administered against others. Had Mr. Gault refused, as has been done by others, to place the books in the hands of the officer when asked, in order to verify or to prove false the information which had been given, then a seizure would have been made at once. But from the standing of those men, and the wealth we knew they possessed, I did not deem it necessary to stop work at their mills, because I knew any moment a decision was given they would be able to pay whatever penalty we imposed, or they would intimate that they dissented from the decision and would be prepared to go into the Exchequer Court and fight it. I hope, I do not know, that I will be able before the House rises to give a decision, as the hon. gentleman has asked; but this I can assure him—I am following his example by repeating it three times—that no settlement has been made, that not one dollar has been accepted from them further than the retention of the cheque, and I am not sure but that I said to Mr. Johnson that he might just as well send it back, or keep it, as he pleased, until the matter is disposed of—but nothing has been done in the way of final settlement, as the hon. member for Brant would lead the House to believe. I may have stated at the time that I would not lay the papers before the House until I was able to come to a decision; but am not sure as to the exact words. My hon. friend beside me says: "I think it is a great pity you have brought them down," but from the frequent enquiries made I was anxious that the House should be placed in possession of the facts as soon as they came into my possession.

Mr. PATERSON (Brant). I have no hesitation in accepting the Minister's statements when he tells us that that is so. Of course, I unhesitatingly accept his statement, but I trust he will not blame me for having unduly, as he thinks, made a charge against him.

Mr. BOWELL. No.

Mr. PATERSON (Brant). I was under the impression that we had all the papers we would get. I read the Minister's remark before I acted upon it, and he was so positive at the time I made my motion that it would not do to bring it down until the matter was investigated, that I asked if he would bring it down without motion, and he was kind enough to say he would.

Mr. BOWELL. I promise you never to do it again.

Mr. PATERSON (Brant). When I asked the hon. gentleman about the matter his reply was: Just as soon as I am in a position to come to a decision upon the merits of the case it will be brought down. On 7th June, when I presented the matter, I took it for granted—as I think I might fairly do—that the whole case was before us, that the matter was closed, and I spoke of course in that sense, as I think I was warranted in doing, as I could not come to any other conclusion. However, I understand the Minister to say that he made a mistake in bringing it down before the matter was closed, and I certainly cannot find fault with him because he was rather evincing a desire to oblige me, or any gentleman making a motion, and, therefore, I would not press that point against him. The Minister now states that while his answer would seem to give an impression that the matter was closed, still he holds the case open for adjudication. That will, of course, prevent anything further from being said until we have the Minister's decision with reference to the matter, when I have no doubt he will feel

that it is incumbent upon him—as he says he does—to hold that there is only one way of treating those people. Of course he knows that I have seen him on several occasions, when I have thought that his judgment was rather harsh, and as it seems to me from the papers in this case that his conduct differed entirely from his action in other cases, I thought I would bring the matter before the House.

Mr. MITCHELL. I am glad that this matter has been brought up in the House, because there has been a great deal of comment in the press with regard to this particular seizure; and inasmuch as men of high standing in the commercial and manufacturing world have been connected with it, it has created an unpleasant impression, which I think the discussion of to-day, and the explanation of the Minister will tend to remove. The gentlemen connected with the Montreal Cotton Company are men of the highest standing in the commercial centre of Montreal. I feel satisfied that none of them would be guilty of any attempt to defraud the revenue or commit an act which would do injustice to the revenue, and I am very glad indeed to have heard the explanation which the Minister has given. I am also glad that the matter is not closed, as it appeared to be by the statements as originally made by the hon. member for Brant (Mr. Paterson), that the Minister is still prosecuting enquiries with regard to it, because it is of great importance that he should carry out the rules of his Department with equal severity in all cases. I think that his Department has executed its decrees with great severity, and in some cases, as I thought, unjustly. The Minister in the exercise of his duty undoubtedly thought otherwise, but he knows that I have stated to him both privately and in this House, that I thought his decisions were unduly severe. However, as he says this is a clear case of fraud, I trust he will—and I know he will—pursue the same course as he has pursued in other cases, and will see that all parties are treated alike, and thus continue to command the confidence of the mercantile community.

Mr. JONES. The debate on the motion of my hon. friend was perhaps more important than would appear at first sight, because it relates to the administration of the Customs Department in Montreal, which has been the subject of complaint—and I may say of very general complaint—for a long time, so far as Halifax merchants are concerned. As I may not have a more opportune time to do so, I would remind the hon. gentleman of certain circumstances which took place some time ago at the port of Halifax, for the purpose of contrasting them with what took place at the port of Montreal. I do not mean to cast any reflection upon the administration of the hon. gentleman at the head of the Customs Department. I think that if he were made fully aware of all the circumstances he would carry out in a fair and impartial manner the laws of his Department. The complaint I have to make is that he has been too prone to rely on the reports of his subordinates, and that, while the strongest evidence has from time to time been submitted to him regarding the mal-administration of affairs in Montreal, the hon. gentleman has not been willing to accept that evidence, as it should have been accepted, considering the sources from which it was derived. Now, with regard to certain matters at the port of Montreal, there have been complaints for a long time in connection with certain branches of trade. I may say that one gentleman in Halifax told me not long ago that he could import, and did import, and would continue to import, all his agricultural implements from the United States for Halifax, *via* Montreal, and pay the freight over the Intercolonial Railway, because they were entered at Montreal by the agents of the company, or the parties interested there, at so much lower rates than they could be entered at Halifax, that he could pay the freight over the Intercolonial Railway all the way to

Halifax, and save considerable money by the transaction. I have brought this matter to the notice of the Department publicly; I mentioned it to Mr. Bremner, whom the Government appointed in connection with the sugar branch of the Department some years ago, and he promised me that he would investigate the matter. The gentleman to whom I have referred is one of the largest importers of agricultural implements in Halifax. I may mention that another party approached me in Halifax on the same subject. He was a large upholsterer, and he told me that he paid the duty on certain articles, I am not sure whether they were from England or the United States and that after paying the duty he was visited by a person in the same trade from Montreal, who offered him the same goods at very much less than he could afford to sell them for. On making a comparison with the Montreal merchant he found that while these articles had to be entered in Halifax for \$26 they were entered at Montreal at, I think, only \$16.

Mr. BOWELL. What kind of goods did you say?

Mr. JONES. The man is an upholsterer, and I can give you his name. He informed me that while these goods were entered in Montreal at \$16, or possibly at \$18 or \$19, I think it was, the Customs in Halifax, under orders from the Department, put them at \$26 for entry there. The hon. gentleman will see that in these few instances—and I can give him others how unfairly the merchants of Montreal have had advantages over the merchants in other cities in the Dominion. I might also mention the case of a book and stationery concern in Halifax, the proprietor of which told me the same thing—that he could import certain articles from England, by way of Montreal, and carry them to Halifax by the Intercolonial Railway, and save money by the transaction. Another party, who is in the wine trade, thought it paid him better to get his wines *via* Montreal, because they were entered there by the agents of these foreign houses at so much lower a rate than at Halifax, that he could afford to send them over the Intercolonial Railway to Halifax and save money. Now, there are four cases, in different branches, to which I direct the attention of the hon. Minister of Customs, as I have on previous occasions directed the attention of the gentleman who was appointed by him to look into that subject.

Mr. BOWELL. Did he do so?

Mr. JONES. He told me he would.

Mr. BOWELL. I ask you if he did look into it?

Mr. JONES. I do not know.

Mr. BOWELL. Because I know Mr. Bremner is very thorough if he takes hold of anything.

Mr. JONES. He is very thorough, and I will do the Government the credit of saying that they appointed an excellent officer when they appointed Mr. Bremner. The Government are aware that for three or four years complaints were constantly made of the rates at which sugar was entered at the port of Montreal. It was well known to everyone in the trade that the refiners at Montreal were paying from 20 to 25 cents per 100 lbs. less on their sugar than the merchants of Halifax were paying on sugar coming from the same place at the same time. Mr. Bremner visited Montreal, and after the closest investigation, put on public record his opinion that the refiners of Montreal were getting their sugars there at from 20 to 25 cents per 100 lbs. less than the importers at Halifax; and I think the Minister of Customs has arrived at the conclusion that Mr. Bremner was strictly correct. I can give an illustration in my own case of the way in which this Government have carried out the laws in this respect. I do not wish to bring up my own business further than to illustrate this point. I happen to be an importer, and some three years ago I brought large cargoes of sugar from the island

Mr. JONES,

of Jamaica. At the same time there were arriving cargoes of sugar from the island of Jamaica, shipped at the same time by the same house, consigned to Halifax to be shipped over the Intercolonial Railway to Montreal. When the cargoes shipped on account of my firm arrived at Halifax, they were entered according to the duty properly attached to them. When the cargoes which were intended for Montreal arrived, they were entered at the same value as the cargoes imported on Halifax account. However, those cargoes were forwarded to Montreal, and in some way or other—I do not mean to insinuate in what way—such an influence was brought to bear on the Government or on the Minister of Customs that those cargoes were entered at Montreal at a difference of \$1,500 less duty than the cargoes which we had received at Halifax at the same time. And during the few months that those importations took place, according to a statement which I rendered to the hon. gentleman, the firm to which I belong, independent of the refinery at Halifax, which was a very large importer, and of the other importers at Halifax—paid \$7,000 more duty on sugars than we would have been called on to pay had those sugars been sent to Montreal. I think that ought to show the hon. gentleman how unfairly the Customs office at Montreal has been managed during several years. It is true that has been changed, and we are now adopting the polariscopic test. But I repeat that the moneys which were paid by the refiners and merchants of Halifax during the two or three years that those irregularities occurred in Montreal, should be returned to the merchants and refiners of Halifax, or the refiners of Montreal should be called on to account for the difference. I am bound to say that here my regard for the judgment of the hon. Minister in these matters must terminate. The hon. gentleman during the debate of 1884, in reply to Mr. Vail, laid down the principle for the imposition of the duties on sugar, in those words:

“Only when the refiner purchases sugars upon a guarantee of a certain strength, when it exceeds that strength, they pay a proportionate advance on the value *ad valorem*. When the test is made by the polariscope, if it is found that the sugar does not come up to the standard, then of course the value of the invoice would have to be decreased in order to obtain the correct *ad valorem* value of the sugar.”

Now, that is the principle laid down by the hon. Minister of Customs in this House, and that was the principle on which he had acted with regard to the Montreal refiners during the whole of those previous years; that is to say, when a cargo was purchased free-on-board, and guaranteed to test at a certain saccharine strength, but did not come up to the standard at which it was charged in the invoice, then the Government reduced the valuation, and the *ad valorem* duty applied to the lower value. That had been going on in Montreal for years, and it was only by the merest accident, when the hon. gentleman made this statement in Parliament, that this matter was brought to light. Then it was that the refiners and merchants of Halifax made an application to the hon. gentleman for a refund of duties under similar circumstances, and claimed that they should be placed in exactly as favorable a position as the merchants and refiners of the larger city of Montreal. I addressed a letter to the hon. gentleman, and he referred the matter to his Department. His Department took exactly the opposite view from that laid down by the hon. gentleman in the House. The Department, under letter of 9th, November signed by J. S. CARMEN, Assistant Commissioner, says, in reference to this point:

“As the Department did not consider it had any power to regard such tests or to accept a post entry based thereon. The question was submitted to the Hon. the Treasury Board for decision, and, as a result of such reference, a letter was written to the collector at Montreal, from which port the claim emanated, intimating that it had not been decided to accept a post entry in the case. There were also several claims presented which, from the correspondence and documents attached, seem to imply that they were made in consequence of polarisation test lower than called for by contract. This brought up the same question again,

and the Department submitted it to the Treasury Board, the board returned the claim to the Department for more definite information, when further correspondence was, therefore, had with the parties."

That is what I wish to bring to the notice of the House. It seems they refused the application of parties in Montreal, but they get out of it in this way:

"When further correspondence was, therefore, had with the parties, and affidavits produced, setting forth in express terms, that the inferiority referred to was not founded on the polarisation.

"The claims were then re-submitted to the Treasury Board, and allowed on the ground of deficiency in quality, as proven under the requirements of sec. 11 of the Tariff Act."

Now, is it possible to imagine that any Department could have submitted to the public such an excuse as this for applying a lower rate of duty on an article like sugar? They say it is on account of the deficiency in quality. That deficiency in quality could exist only on account of the loss of saccharine strength of the sugar not being up to the saccharine test. Therefore, when they found themselves in this position with regard to Montreal, which they had been treating in a different manner all along, they resorted to other means by which they might meet the views of the importers or refiners in Montreal. When they found that we had taken up the Minister of Customs according to his interpretation of the Act in Parliament, and were applying for the same reduction there as had been made for a long time in Montreal, then the Department goes back, and says it was not on the ground of inferiority of the polariscopic test, but on account of the general depreciation in quality. Hon. gentlemen, who are aware of anything in relation to the value of sugar at all, must be aware of this one great fact: that it is only in regard to its strength as an article of commerce that it could be considered as inferior at all. Its color was not affecting it in any way. It was only on account of the strength of the article.

Mr. BOWELL. The color under the law, as it then stood, would affect the value of sugar for duty.

Mr. JONES. The color affected all other sugars, and not this number more than any other.

Mr. BOWELL. I did not say it did. I spoke of sugar generally.

Mr. JONES. Of course; the hon. gentleman is aware that the tariff imposed a different duty on sugar between 9 and 13.

Mr. BOWELL. The hon. gentleman will admit that No. 9 sugar might be bought at one price to-day and at another to-morrow. It might be at one price at 10 o'clock to-day, and at 3 o'clock, through fluctuations of the market, it might be lower, so that it would be affected thereby in imposing an *ad valorem* duty.

Mr. JONES. The hon. gentleman knows very well that such fluctuations never took place.

Mr. BOWELL. From invoices placed before me and the Department, I know that that is a fact, or there was fraud committed in making the invoices.

Mr. JONES. There has been fraud, and that is what I complain of. The hon. gentleman has acted without due enquiry.

Mr. BOWELL. The hon. gentleman is not correct. He cannot mention a single case he ever brought before me, in which I did not make the fullest enquiry. If I came to an incorrect conclusion, that is another thing; but in every case the enquiry was made.

Mr. JONES. So much the worse for the hon. gentleman's judgment. I was disposed to believe the hon. gentleman had been guided by the officers of his Department.

Mr. BOWELL. So I was.

Mr. JONES. But the hon. gentleman tells me he has investigated this subject.

Mr. BOWELL. I did not. I said I caused an enquiry to be made, and formed my judgment on the report made to me.

Mr. JONES. The hon. gentleman has arrived at a decision on this question which does little credit to his judgment or to the administration of his Department. When the hon. gentleman has complaints like these brought before him by his own friends, Mr. Bremmer, one of the most active workers of the Conservative party in Halifax,—

Mr. BOWELL. What has that to do with it? I would take your complaint as soon as that of a friend of my own, and a man who would not administer an office like mine on that principle should not be there.

Mr. JONES. There is this difference: The hon. gentleman would have taken my complaint, but he would not attend to it.

Mr. BOWELL. I did attend to it.

Mr. JONES. He would attend to the complaints of his friends.

Mr. BOWELL. You said I did not. You had better stick to your text.

Mr. JONES. The hon. gentleman had this question brought before him for years, and he was aware, or ought to have been aware—and if not aware, he is not fit to be the head of his Department—of it, because it was brought to him by people actively connected with the trade; it was brought to him by the refinery in Halifax. I say that the failure of the refinery in Halifax was due to the fact that they were compelled, during three or four years, to pay 20 cents more per 100 lbs. for sugar than their rivals in the city of Montreal were. This matter was brought to the attention of the Minister by the directors of the refinery and the friends of the Government. I do not wish to introduce my own affairs here, and I only brought this up as an illustration; but I say the Department has been administered in Montreal, for four or five years, in a loose and improper manner, without due regard to the public interest. I have given sufficient evidence upon the various branches of the subject to prove to the satisfaction of every hon. member here that these articles were continued, year after year, to be entered in the city of Montreal at much lower rates than they were in the Lower Provinces. I know of one case of a cargo of sugar sold by a merchant in Halifax, that was tested over No. 13, which made it pay a higher rate of duty. It was bought by a Montreal merchant as being over 13, with a high rate of duty, and taken in Montreal where it was said, in excuse, that it was accidentally resampled in Montreal. And what did they do. Why they made almost every hogshead of that sugar under No. 13, and the Montreal purchaser had the benefit of 50 cents per 100 pounds more than he expected when he bought the sugar. That is an instance in case, where a cargo of sugar was sampled in Halifax, handled by the Customs authorities there, then sent to Montreal, where its classification was reversed, and the merchant in Montreal had the benefit of 50 cents which the Government was cheated out of, because the sugar had been properly and honestly tested, examined, and classified in Halifax. Now, our merchants in Halifax do not complain of being called upon to comply strictly with the law; but what we do complain of is that the law is not carried out in the same strict manner in Montreal as it is in Halifax, and that has been going on for years. The hon. gentleman who preceded me bears out my statement, and adds that it is going on to-day. This I cannot positively, of my own knowledge, assert, but I have very good reasons for assuming that what

has been going on for so long, despite the representations made to the Department, may possibly be continued, to the great detriment of honest traders over other parts of the Dominion, and to the discredit of the administration of the Department. Because, when the hon. gentleman had these representations made to him on reliable authority, he should have examined them at once. More than that, I know that the hon. gentleman is aware that all the representations made to him, in regard to the Montreal refineries, and the lower duties which they were paying when we were paying higher duties, are correct. I have reason to know, from a very good source, that he is aware that the representations made from the refiners and by Mr. Bremner at that time were literally correct. It is desirable, therefore, that this matter should be thoroughly cleared up. Of course, if I had been a friend of the Government, I might possibly have had returned to me the \$7,000 which was improperly taken from my firm, when they made me pay higher duties than were being paid in other parts of the Dominion. I always thought I was entitled to it, and I still think that, when sugars are admitted at one point at a certain valuation, that should apply all over the Dominion. Now, this matter has reached a point at which it is necessary for us to look at another aspect of the case. We know very well, or we have reason to believe, that, if this large cotton factory in Montreal had been in the position which some of the merchants in the Maritime Provinces have been in, they might have been treated in the same way as they have been treated. We have seen itinerating revenue officers visiting the small towns in Nova Scotia. We have seen, and it is on the records of Parliament, that they have been trying to suborn evidence, to obtain evidence, to corrupt men in the employment of merchants in Boston and obtain evidence against their employers and against merchants in Nova Scotia. They would go from one place to another. They would go into a shop and say "show me your accounts," or, "show me this or that, and I fine you \$500 or \$1,000." I am not aware of my own knowledge whether that money is paid to these men at that moment, or is paid to the Department subsequently, but I believe they get half the fines so imposed, or a large portion of them. I contend that these revenue officers who visit the various parts of the Dominion in order to see that the revenue laws are properly carried out, should make a report to the Department at once when they discover that they are being violated, should seize the goods, and let the Government take the responsibility of dealing with the matter. It is unfair to other merchants, it is an improper way of administering the Department, to allow one of the subordinates to go into a country shop and say: "You have been guilty of importing goods at so much below the value; pay me \$300 or \$400, and I will say no more about it." That is not the proper way of doing business. I desire to see the Customs laws as long as they exist, obnoxious as they have been made by this Administration, carried out in one part of the Dominion as well as in the other, but I deprecate the system which allows the Minister of Customs to send his people into a shop and impose a fine and then do nothing more. If these people have violated the Act, let them be punished, let them be dealt with by the Department, which ought to take the responsibility of dealing with them; but do not permit the officers of the Department in these smaller localities to select one or two men who are generally opposed to the Administration. I do not make that as a charge against the Administration, but I am informed that those who are opposed to the Government receive more frequent visits than those who are favorable to them, and this leads to the suspicion in reference to the Government that they are doing this for partisan motives. If they send into every shop in the country and see that the importers comply with the Act, I am quite willing that they should do so, and that

Mr. Jones,

those who violate the Act should be fined; but they should not be dealt with in that way by a subordinate of the Department, but should be reported to the Department, and the Department should take the responsibility of carrying out the law. I have taken this opportunity of bringing this matter to the attention of the House and to the attention of the Minister of Customs in the hope that he may accept information and advice which, in the past, he has so steadily refused to accept, even when coming from sources from which he should have accepted it. I think he will find, in the future that it will redound to his credit, and to the credit and advantage of the country, if such information as is placed before him from reliable sources should be dealt with by the Department in a prompt, energetic and efficient manner.

Mr. BOWELL. I do not propose to follow the hon. gentleman through his remarks, but I wish to state in the most distinct manner that the statement he has made in regard to his own case, and especially when he said I was well aware of these inequalities in the administration of the law as to merchants in Halifax and Montreal being charged different rates of duty, has not a scintilla of truth in it, either directly or indirectly. I know of no such cases as those to which he has referred into which I have not made immediate investigation when my attention has been called to them. That I have not been able to come to the same conclusion as the hon. gentleman in regard to his own case, as to the remission of the duties which he considered he ought not to have paid, I do not deny; and, further, I do not deny that inequalities have existed in regard to goods being entered at a lower value in one port than in another. We constantly have such cases brought before us, and we are constantly engaged in investigating them; and we are condemned frequently in the most energetic manner because we endeavor to enforce the law in regard to the question of values. But, as long as we have from 100 to 200 ports, and about 1,000 Customs officers whose duty it is to decide values upon these articles, so long will these inequalities exist. The hon. gentleman was in an Administration in which he knows the same difficulties existed as exist now. He knows that my predecessor did all he could to effect a uniformity in prices. He knows also that it was utterly impossible to achieve that, and that it will be impossible just so long as we have people who try to defraud the revenue, and so many officers who have different opinions as to the value of articles. This is incident to Customs laws, as my hon. friend from South Oxford (Sir Richard Cartwright) stated upon one occasion that the fact of having a high protective duty is an incentive to that kind of fraud. We all know that, and experience has proved it. Looking over the Customs laws which have existed for two hundred years, which I have been doing, because I expected that this question would be discussed, I find that the same provisions for the prevention of similar frauds existed under George III and William IV, and which we are trying to prevent now. It is the same in regard to every crime. Laws have been enacted to prevent crime of all kinds, but I suppose that murder will continue as long as the world lasts, and stealing will continue; and, as long as there is a duty imposed upon goods, so long will there be men who will try to defraud the revenue. As to the sweeping charges which the hon. gentleman has made, that I have overlooked complaints made by one party and not by another, he contradicted himself. He said that I disregarded the report made to me by the most ardent supporter and the hardest worker in Nova Scotia, Mr. Bremner, in reference to sugar matters. I find in some cases that, just like my hon. friend, they never looked beyond the interests of Halifax; as an example, if I had not put my foot down, and refused positively to accede to the demands made by merchants of Halifax

in reference to testing the strength of sugar, we would have had complaints of the same discrepancies existing to day that we have had in the past. When the Board of Trade and the Chamber of Commerce—I do not know whether my hon. friend had anything to do with it or not—were protesting against the scheme I had inaugurated with a view of endeavoring, as far as possible, to have uniformity in the testing of sugars, when they urged over and over again in that I was doing an improper act in interfering with the entries of goods in Halifax, I told them distinctly that since I had been in the Department, complaints had been made so often from Halifax as to the amendment of the law, particularly in regard to sugar in Montreal, that I had determined, no matter what the consequences might be, to test for at least one year the scheme that I had adopted of having every consignment of sugar in this Dominion tested in the city of Ottawa, under our own eyes, where the testers could not be reached by any one, and could not possibly know whether the sugar they were testing belonged to the firm of Jones & Co., of Halifax, or to the Messrs. Redpath, of Montreal. I am glad to know that those who protested in the strongest way against the policy I was carrying out, acknowledged to-day that they are satisfied with it, so far as I can hear from our sugar inspector, and that though hundreds and hundreds of tests have taken place, there have been but one or two cases—and I have the number in my desk—that have been returned for a re-test, showing, at least in that regard, that the principle laid down and the policy adopted by the Government in the Customs Department had proved successful. I am satisfied that if every thing could be brought under the direct administration of the Department, it is very likely the same good results would follow. I can only say to my hon. friend that I am not infallible, and if I have erred in judgment it has been from the reports which have been placed before me, and which I had every reason to believe were correct. I took the trouble, in the case referred to, to send our special officers, who could have no possible interest in any decision, to investigate these points to which the hon. member for Halifax has called attention, and their reports are on record. But oh, he says, you should have investigated them yourself. But could any Minister do more than I did in order to endeavor, at least, to come to a correct conclusion upon the facts which were placed before me? Did he, when he occupied a seat on this side of the House, and complaint was made to him in reference to the administration of the Department over which he presided so efficiently during the short time that he administered the Militia Department—when he received a complaint from Halifax or London, or any other part of the country, did he go and investigate it personally, or did he refer it to his responsible officers from whom he had a right to expect correct reports? But, he says it is an evidence of want of knowledge on the part of the heads of the Department, and an evidence of the incapacity of the Minister, that he has not gone to every part of this country to investigate personally the complaints made by the hundreds and thousands every year, I might almost say every month. Why, there is scarcely a seizure made from an anchor to a needle that is not brought before our Department. Does he expect, does the House expect, that the Minister presiding over a Department could visit every port and investigate every two-penny half penny charge that is made, or to go and investigate these questions in any other manner than has been done by myself and my predecessors, that is, to get reports from reliable officers and to act upon them? That I have done, and as long as I have the confidence of my colleagues and the House, I shall endeavor to carry out and administer in the same manner the affairs of the Department over which I have presided for eight or nine years. I am sure those who know what the Customs

Department is, know well the difficulties that present themselves in administering a law so complex in its character, with a tariff such as ours, and I am gratified to know that (if the House will excuse me for saying it), so few complaints have been made; and I have had more complaints from my political friends than I have had from my political opponents in the administration of my Department.

Mr. JONES. The Minister says he has been studying up the Customs laws for the last 200 years; I would like him to pay a little more attention to the Customs laws of the last four or five years.

Mr. BOWELL. So I have, and have had great trouble with the provisions of the law passed when you were in power.

Mr. JONES. These old Customs laws may be interesting as relics of ancient history and antiquity, but what we have to do is with the Customs laws of the present time. Now, Sir, the hon. gentleman says that he changed the laws with regard to the polariscope tests on sugar.

Sir CHARLES TUPPER. We are not in committee. I must ask the hon. gentleman to allow us to remain twenty minutes in committee, to do necessary business, and the hon. gentleman can continue the discussion in committee.

Mr. JONES. I shall have something to say when we go into committee.

Sir RICHARD CARTWRIGHT. I would like to ask the Minister of Customs to take a note and inform us, when his own departmental vote is under consideration, what amounts of money have been paid to these special officers in the way of profits on seizures during the last two or three years.

Mr. BOWELL. I have got them already.

Motion agreed to, and House resolved itself into Committee on Ways and Means.

(In the Committee.)

Sir CHARLES TUPPER. I have asked the House to go back into Committee of Ways and Means for the purpose of dealing with a few remaining items, and also making some slight alterations in the resolutions that have already been before the Committee. The first is:

Resolved. That it is expedient further to amend Schedules A and C of Chapter 33, of the Revised Statutes of Canada, intitled: 'An Act respecting the Duties of Customs,' by repealing the following items in Schedule A, viz.: Numbers 43, 48, 82, 105, 116, 121, 124, 134, 204, 231, 235, 236, 250, 290, 291, 292, 293, 310, 319, 380, 381 and 474; and the following items in Schedule C, viz.: Numbers 551, 667, 693 and 805; and also to amend Schedule E of said Act by repealing item No. 817 in said Schedule; and making other provisions in lieu thereof as follows:—

That will all be explained by the subsequent resolutions. Schedule A, brass in bars and bolts, drawn, plain and fancy tubing, 10 per cent. *ad valorem*. The change made is to strike out the word "seamless" before the word "drawn" making no change in "seamless drawn tubing," but reducing other drawn tubing (not seamless) from 30 to 10 per cent. It is to change the items in the old tariff which were not interfered with before, and is made for the purpose of reducing the duty on an article that is not made in the country, and to avoid the difficulty in classification as to seamless tubing. Cocoa matting 30 per cent. *ad valorem*. This is an increase of 25 per cent. with a view to encourage an industry which has been established in Canada. The imports last year were \$4,055; duty collected \$1,013.75.

Sir RICHARD CARTWRIGHT. The additional duty will be about \$200.

Sir CHARLES TUPPER. It will not be very large. I do not imagine we will receive any more revenue, if as much as before.

Sir RICHARD CARTWRIGHT. That is a kind of article which is cheap and wholesome to use. It does not appear expedient to tax it more heavily.

Sir CHARLES TUPPER. I do not think it will increase the price, but it will protect the home industry.

Combs for dress and toilet of all kinds, 30 per cent. *ad valorem*.

Sir CHARLES TUPPER. Item 116 of old tariff, 25 per cent. Increase of 5 per cent. Imports, \$74,719; duty, \$18,684.85. I do not consider this change will increase the cost.

Mr. MILLS. The hon. gentleman does not expect to live in the country, and, therefore, he does not consider how those duties will bear on the country at large.

Sir CHARLES TUPPER. I see the point raised by the hon. gentleman.

Bed comforters, or cotton bed quilts, not including woven quilts or counterpanes, 35 per cent. *ad valorem*.

Sir CHARLES TUPPER. Item 121 of old tariff, 27½ per cent. Increase, 7½ per cent. The change is necessary, as printed cottons (raw material) have been increased from 27½ per cent. to 32½ per cent. Imports, \$4,961; value, \$6,897; duty, \$1,895.78. The duty is equalised between the raw material and the finished product.

Sir RICHARD CARTWRIGHT. It is equalised with a vengeance; 5 per cent. is added to the raw material and 7½ to the finished article. What proportion does the raw material bear to the finished article? For it seems to me that this is increased doubly or trebly if the raw material bears the usual proportion to the finished article.

Nail plate of iron or steel sixteen gauge and thicker, \$13 per ton.

Sir CHARLES TUPPER. This is item 250 of old tariff —25 per cent. The change is to make the duty uniform at \$13 a ton, instead \$14 a ton for nail plate of iron (item 40 of Bill) and \$12 a ton for nail plate of steel (item 43 of Bill).

Sir RICHARD CARTWRIGHT. What is the increase?

Sir CHARLES TUPPER. It is not an increase; one variety is reduced from \$14 to \$13 and another is increased from \$12 to \$13. It is to produce uniformity.

Marble in blocks from the quarry in the rough or sawn on two sides only, and not specially shapen, containing 15 cubic feet or over, 10 per cent. *ad valorem*.

Sir CHARLES TUPPER. Item 693 of old tariff, free. Increase, 10 per cent.; imports, \$1,202.

And such blocks containing less than 15 cubic feet, 15 per cent. *ad valorem*.

Sir CHARLES TUPPER. Item 290 of old tariff, 10 per cent. Increase 5 per cent. Imports, \$4,687; duty, \$468.70.

Sir RICHARD CARTWRIGHT. It is consistent from the cradle to the tomb, because most of those articles are for tombstone purposes.

Marble slabs sawn on not more than two sides, 15 per cent. *ad valorem*.

Sir CHARLES TUPPER. Item 291 of old tariff, 10 per cent. Increase of five per cent., for reasons before stated. Imports, \$41,970; duty, \$4,197.

Marble blocks and slabs sawn on more than two sides 25 per cent. *ad valorem*.

Sir CHARLES TUPPER. Item 292 of old tariff, 20 per cent.; increase 5 per cent., for reasons before stated. Imports, \$46,739; duty, \$9,351.92.

Finished marble and all manufactures of marble not elsewhere specified, 35 per cent. *ad valorem*.

Sir CHARLES TUPPER. Item 293 of old tariff, 30 per cent. Increase of 5 per cent., for reasons before stated. Imports, \$23,154; duty, \$6,952.55.

Sir CHARLES TUPPER.

Linseed, or flaxseed oil, raw or boiled, 30 per cent. *ad valorem*.

Sir CHARLES TUPPER. Item 310 of old tariff, 25 per cent. Increase of 5 per cent., to promote cultivation of flax. Imports, \$371,045; 926,927 gallons; duty, \$92,761.32.

Sir RICHARD CARTWRIGHT. That will be \$50,000.

Sir CHARLES TUPPER. There will not be a very large increase, but it will promote the manufacture in the country. There is no difficulty in raising any quantity of flax in Canada, and oil might as well be manufactured in this country as imported.

Opium (drug) \$1 per lb.

Sir CHARLES TUPPER. Item 319 of old tariff, 20 per cent.; new duty equal to about 30 per cent. Imports 75,853 lbs.; value, \$248,728; duty, \$49,745.60.

Sir RICHARD CARTWRIGHT. The hon. gentleman knows, and no one knows better, that this is a tax on an article which, although abused, is also a valuable article in the *materia medica*, and it appears to me it is a very objectionable tax, in so far as regards the use of the article by physicians. I have not the least objection at taxation being placed at the highest possible point, in so far as it is used in other ways.

Sir CHARLES TUPPER. The present rate is about 80 cents per pound, and it is proposed to raise it to \$1. If the hon. gentleman will make a calculation he will find that it will be a very small tax on a sufficient quantity of opium to put a person to sleep.

Mr. WILSON (Elgin). What is the object of the proposed change? We certainly have no means of manufacturing opium in this country.

Mr. HICKEY. We have so many substances in addition to opium now for like purposes that I consider this tax is very well placed.

Mr. WILSON (Elgin). I am glad to hear from the assistant Minister of Finance. I would like, however, to know from the Minister of Finance himself the object of this increase, and as to his motive in increasing the duty on that article.

Mr. BOWELL. If the hon. gentleman will allow me to occupy the position of assistant Minister of Finance in this respect, I would say that I do not think the hon. gentleman was fair or courteous in the remarks he made in regard to the hon. member for Dundas (Mr. Hickey). I am not aware that any member on this side of the House has not just as good a right to give his opinion on any particular question that may be before the House, whether it be in defence of the Government or otherwise, as hon. gentlemen on the other side have to make adverse criticisms upon the actions of the Government. I may state that the reason for the change is simply this: that in British Columbia in particular, where a large proportion of the opium is imported by the Chinese, there has been so much under valuation that it does not amount to very much more than eighty cents per pound; and from reports we have received from that section of the Dominion, we deem it better, in order to arrive at something like the correct duty, to make it \$1. There is \$5 a pound on the manufactured article, to which the hon. gentleman referred.

Mr. WILSON (Elgin). I certainly do not think that the rebuke I have received from the Minister of Customs was called for. I think I was in my place when I asked the Minister the question I did ask him. I supposed that the question would be answered by the responsible Minister, and although I have no objection to a private member answering a question, yet when I ask a question of the Minister I certainly think it is his duty to answer it.

Mr. HICKEY. I was not assuming any prerogative of the Minister of Finance in saying the few words I did say. The Minister of Finance would be quite able to answer any question the hon. gentleman might put to him. I thought it was my privilege to say what I did say, and I do not think it was becoming on the part of the hon. member for Elgin (Mr. Wilson) to reply to me as he did.

Sir CHARLES TUPPER. For my own part I may say that I will only be too grateful to hon. gentlemen on both sides for any assistance they may give me.

Plates, roofing slate, black or blue, 80 cents per square. Red, green, and other colors, \$1 per square; in each case when split or dressed only.

Sir CHARLES TUPPER. This is item 380 of old tariff. There is no change in the duty, but the words "in each case when split or dressed only," are added for better definition. The imports were black or blue, 49 squares; value \$249; duty, \$39.60. Red, green, &c., 277 squares; value, \$1,553; duty, \$277.46.

Slates of all kinds, and manufactures of, not elsewhere specified, 1 cent per square foot, and 35 per cent *ad valorem*.

Sir CHARLES TUPPER. This is item 381 of the old tariff, 25 per cent. There is an increase of 1 cent per square foot, making the new duty equal to say 30 or 35 per cent. Imports, \$6,146; duty, \$1,536.50.

Clothing, ready made, and wearing apparel, of every description including cloth caps and horse clothing, shaped, composed wholly or in part of wool, worsted, the hair of the alpaca goat, or other like animals, made up by the tailor, seamstress, or manufacturer, not otherwise provided for, 10 cents per pound and 25 per cent. *ad valorem*.

Sir CHARLES TUPPER. This is item 474 of old tariff reenacted, omitting the words "socks and stockings," and also omitting the words "except knit goods," and putting in the words "not otherwise provided for." There is no change in the duty.

Sir RICHARD CARTWRIGHT. I would suggest that the Minister of Customs should distribute to the members as soon as possible, and to the public at large, the complete scale of the tariff, as it will not appear in the Act, unless we alter our usual plan.

Sir CHARLES TUPPER. Yes, it will appear in the Bill to-morrow in complete form, and that is one reason why I am so anxious to put the resolutions through.

Mr. MILLS (Bothwell). This gives the mercantile classes and others very little opportunity for making remonstrance or suggestions.

Sir CHARLES TUPPER. I think the changes are mostly the result of suggestions and remonstrances.

Socks and stockings of cotton, wool, worsted, the hair of the alpaca goat other like animals, 10 cents per lb. and 30 per cent. *ad valorem*.

Sir CHARLES TUPPER. Cotton hosiery is 30 per cent. under item 132 of the old tariff; woollen hosiery is 10 cents per lb., and 35 per cent. under item 474 of the old tariff. The new duty is equal to about 35 per cent. average.

Sir RICHARD CARTWRIGHT. It will be a great deal more than 35 per cent. on some portions,

Sir CHARLES TUPPER. Yes, on the cheaper classes it will be more.

Chopping axes, \$2 a dozen and 10 per cent. *ad valorem*.

Sir CHARLES TUPPER. The duty is equal to 35 per cent. on a value of \$8 a dozen. This is the duty proposed by the resolutions as first brought down.

Mr. MITCHELL. This is rather hard on the lumbermen.

Sir CHARLES TUPPER. Oh, no.

Hay knives, and four, five and six pronged forks of all kinds, \$2 per dozen and 20 per cent. *ad valorem*.

Sir CHARLES TUPPER. This is the same duty as was proposed by original resolutions. Hay knives, value, \$7 to \$13 a dozen; average, \$10 a dozen; duty, 40 per cent. Forks, value, \$5 to \$9 a dozen; average, \$7 a dozen; duty, 50 per cent.

Garden rakes, 5 cents each and 25 per cent. *ad valorem*.

Sir CHARLES TUPPER. These are made to pay the same duty as two and three pronged forks and hoes, under item 122 of the Bill. Steel garden rakes, valued at from \$4 to \$6 a dozen, average duty 37 per cent.

Shovels and spades, and shovels and spade blanks, \$1 per dozen and 25 per cent. *ad valorem*.

Sir CHARLES TUPPER. Under item 125 of the Bill they are \$1 a dozen and 20 per cent. The increase of 5 per cent. *ad valorem* makes the duty equal to 37 per cent., on a value of \$10 a dozen.

Iron and steel wire, galvanised or not 15 gauge and coarser, not elsewhere specified, 25 per cent. *ad valorem*.

Sir CHARLES TUPPER. This is to take the place of item 38 of the Bill. The definition is the same as item 220 of the old tariff. The old duty was 25 per cent.—there is the same duty under the item 38 of Bill. This change makes an increase of 5 per cent.

Leather, sole, a specific duty of half a cent per pound and 15 per cent. *ad valorem*.

Sir CHARLES TUPPER. The duty on sole leather, by item 79 of the Bill, is 3 cents per pound. The duty on sole leather by the old tariff (item 275) was 15 per cent. The addition of $\frac{1}{2}$ cent per pound is equal to an addition of $1\frac{1}{2}$ per cent. to $2\frac{1}{2}$ per cent.—making the new tariff duty equal to, say, $16\frac{1}{2}$ or $17\frac{1}{2}$ per cent.

Clay tobacco pipes, 35 per cent. *ad valorem*.

Sir CHARLES TUPPER. The old duty was 30 per cent. as earthenware. I presume that no hon. gentleman who indulges in the luxury of smoking will object to this slight increase.

Tinsmiths' tools and harness makers' and saddlers' hardware, including curry combs, 35 per cent. *ad valorem*.

Sir CHARLES TUPPER. These articles are made to pay the same duty as builders' hardware, &c., under item 69 of the Bill. The old duty was 30 per cent; increase 59 per cent.

Harness and saddlery of every description, 35 per cent. *ad valorem*.

Sir CHARLES TUPPER. Item 204 of old tariff was 30 per cent., so there is an increase of 5 per cent., as saddlery hardware has been increased to that extent.

All chromos, chromotypes, oleographs and other cards, pictures or artistic works of similar kinds produced by any process other than hand painting or drawing, and being for business or advertising purposes, or not printed or stamped on paper, card-board or other material, 6 cents per pound and 20 per cent. *ad valorem*.

Sir CHARLES TUPPER. Under item 43 of old tariff, some of these articles paid 25 per cent.; others paid 20 per cent., as pictures. There has been much difficulty in distinguishing many of these articles from advertising matter of the same kind, and cards were frequently trimmed with silk which should pay 30 per cent. They are all now made to pay the same duty as "advertising pictures," &c.

Tubes not welded, nor more than $1\frac{1}{2}$ inches in diameter, of rolled steel, 15 per cent. *ad valorem*.

Sir CHARLES TUPPER. This is the same duty as on boiler tubes. No increase.

Swedish rolled iron nail rods, under a half inch in diameter, for manufacture of horse-shoe nails, 20 per cent. *ad valorem*.

Sir CHARLES TUPPER. The old duty was 17½ per cent. Horse shoe nails are 35 per cent. by the Bill, so that this is a reduction on them of 15 per cent.

Lap-welded iron tubing, threaded and coupled or not, one and one-quarter inches in diameter and over, 20 per cent *ad valorem*.

Sir CHARLES TUPPER. I may say that my hon. friend from East Lambton brought my attention very forcibly to the fact that the duty on this tubing provided for in the Bill, would greatly increase the charge on the tubes used for artesian wells in Petrolia; and after looking carefully into the matter, I make this alteration for the purpose of meeting that case. The duty under item 230 of the old tariff was 15 per cent. for "not threaded." "Threaded" paid 20 per cent. as unenumerated. I, therefore, bring it back to the same position that it was in the old tariff.

Mr. PATERSON (Brant). That cannot be made in the country.

Sir CHARLES TUPPER. No. I found that that was the case and that, therefore, the duty was going to largely increase the cost of these artesian wells.

SCHEDULE C.

The undermentioned items shall be free of duty:
Books, educational, imported exclusively by and for the use of schools for the deaf and dumb and blind.

Sir CHARLES TUPPER. This is the same as before, with the exception that we add the words "and blind," placing them on the same footing as the deaf and dumb.

Wire of iron or steel, galvanised or tinned, number sixteen gauge or smaller.

Sir CHARLES TUPPER. This item is simply reenacted, changing the "fifteen" to "sixteen," so as to avoid confusion.

Rolled rods of steel under half an inch in diameter or under half an inch square, when imported by knob or lock manufacturers, or cutlery, for use exclusively in such manufactures in their own factories.

Sir CHARLES TUPPER. This is the same concession as to other manufacturers, as the material is not made in Canada.

SCHEDULE E.

Spruce and elm logs, \$1 per M. feet, board measure.

Sir CHARLES TUPPER. This is item 817 of the old tariff. Elm logs are made to pay on export duty of \$1 per M. as well as spruce logs.

Mr. MILLS (Bothwell). I would like to ask the hon. gentleman whether that duty applies immediately to logs cut under contracts made this year, because I know of cases in which many millions are involved?

Sir CHARLES TUPPER. That point is worthy of consideration, and when the Bill comes up I will thank my hon. friend to remind me of it. It is also proposed, when in committee on the Bill, to make the following amendments to resolutions already passed, viz:—

Strike out the word "composition" and insert the word "or" between the words "ivory" and "horn."

This places the "composition buttons" under item 9 at 25 per cent.

Strike out the word "four" in the first line and insert the word "eight;" also strike out the word "ten" in the fourth line and insert the word "five."

Sir CHARLES TUPPER. The effect is to place flasks and phials of less capacity than 8 ounces, at 30 per cent. under item 27. It is also a reduction in duty from 10 cents a dozen to 5 cents.

Sir CHARLES TUPPER.

Glass—Strike out the word "four" and insert the word "eight."

Sir CHARLES TUPPER. This is necessary in consequence of the change made in item 25 of the Bill.

Strike out the words "fourteen dollars" and insert in lieu thereof "thirteen dollars."

Sir CHARLES TUPPER. This is a reduction in duty on boiler or other plate iron.

Strike out the words "boiler or bridge" before "plate."

Sir CHARLES TUPPER. This is to make the item clear.

Substitute the following for item 45 of the Bill:—

(a.) Rolled iron or steel angles, channels, structural shapes, and special sections, weighing less than 25 pounds per lineal yard, not elsewhere specified, half a cent. per pound and ten 10 cent. *ad valorem*.

Sir CHARLES TUPPER. This makes the duty, instead of \$16 a ton, to range from \$13 to \$16 a ton.

(b.) Rolled iron or steel beams, girders, joists, angles, channels, structural shapes and special sections, weighing not less than 25 pounds per lineal yard, 12½ per cent. *ad valorem*.

Sir CHARLES TUPPER. This makes the average duty from \$3 to \$5 a ton, instead of \$16 a ton.

(c.) Rolled iron or steel beams, girders, joists, angles, channels, eyebar blanks made by the Kloman process, together with all other structural shapes of rolled iron or steel, including rolled iron or steel bridge plate not less than ¾ of an inch thick nor less than 15 inches wide, when imported by manufacturers of bridges for use exclusively in the manufacture of iron and steel bridges, 12½ per cent. *ad valorem*.

Sir CHARLES TUPPER. No change in the duty. This is to make the definition clearer.

Strike out the words "or flues or stays."

Sir CHARLES TUPPER. These words are not required and leaving them in would have a tendency to lead to confusion.

Strike out the words "or steel" and the words "one and one-half cent per pound" and insert after the word "pipes" the words "six-tenths of one cent per pound and 30 per cent. *ad valorem*."

Sir CHARLES TUPPER. This is a reduction in duty. On inch pipe the duty at the new rate would be about 20 per cent. less than at 1½ cents per lb., as it was before.

Add after word "under" in line 2 the words "and so in proportion for all greater lengths."

Sir CHARLES TUPPER. This is to make the meaning clearer.

Strike out item 96 and also item 345 in section 5 of Bill repealed.

Sir CHARLES TUPPER. This leaves item 345 of the tariff in force, parts of pianos 25 per cent.

Strike out the words "hay knives."

Sir CHARLES TUPPER. The effect of this is to make hay knives \$2 a dozen and 20 per cent. under item 17 of the new resolutions.

Add after item 134 the following:—

"As regards items 132, 133 and 134, the half-penny sterling shall be computed as the equivalent of a cent and larger sums in sterling money shall be computed at the same ratio."

Add at end of the item the words "including the following articles when imported by the said Government or through any of the Departments thereof for the use of the Canadian Militia:—arms, military clothing, musical instruments for bands, military stores and munitions of war."

Sir CHARLES TUPPER. That puts the Militia Department on the same footing as before, giving the same advantages as the army and navy enjoy. It was left out by a clerical error.

This item to be changed to read as follows:—"Brick, fire, for use exclusively in processes of manufactures."

Sir CHARLES TUPPER. That is to meet the objection raised by the hon. member for Brant (Mr. Paterson), who was anxious that certain manufacturers who were not in the item before, should have the advantage of the reduction.

Section 4 relating to packages is to be struck out.

Sir CHARLES TUPPER. The whole package clause is to be struck out, and the law on that subject stands as it did before.

Sec. 5. Words "Section eight of the said Act and" to be struck out and the items in Schedules A and C repealed by the resolutions are to be inserted.

Sir CHARLES TUPPER. Item 32 of the Resolutions (relating to spruce and elm logs—item 817 of old tariff) is to be added to section 3 of the Bill, which must be amended as rendered necessary by the addition of this item.

Sec. 6. To be passed as it stands.

Sec. 7. Present section to be struck out and the following substituted: "Provided, however, that all goods actually purchased on or before the said thirteenth day of May, at any place out of Canada, for importation into Canada, on evidence to the satisfaction of the Minister of Customs of the purchase having been so made, and all goods in warehouse in Canada on such day may be entered for duty at the rate of duty in force immediately before said day; but the provisions of this section shall cease to have force and effect on the first day of July in the present year, excepting that goods from the United Kingdom or any British possession carried by way of Cape Horn may be entered in British Columbia under the provisions aforesaid until the first day of October in the present year."

Sir CHARLES TUPPER. I propose to substitute November.

Mr. PATERSON (Brant). The Minister will expect some discussion on that in the Bill.

Sir CHARLES TUPPER. There will be the fullest opportunity given for discussion on the Bill.

Resolution read the first time and second time.

The Committee rose and reported.

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

After Recess.

SUPPLY—WINTER PORT OF C. P. R.

Sir CHARLES TUPPER moved that the House again resolve itself into Committee of Supply.

Mr. WELDON (St. John). Before we go into Supply, there is a matter to which I would like to call the attention of the House for a few minutes. I had a notice of motion on the paper calling for documents with regard to the question of making the city of St. John, N.B., the terminal winter port of the Canadian Pacific Railway, but which I was unable to press. I feel this is a matter of too great importance to my constituency not to bring it before the House. In 1884 I had the honor of proposing a resolution declaring that, so long as the amount then advanced to the Canadian Pacific Railway should remain unpaid, it should not be applied to the obtaining of an ocean terminus in any other than Canadian territory. That resolution was voted down, and no such condition was imposed on the granting of a loan to that company. Again, in 1885, I had the honor, when the Government proposed advancing another loan to that company, to renew my motion, which was again voted down by the majority of the House. What we claimed was that what was done to carry out the policy of the Government in the west should be done in the east. We claim that by the bargain with the Canadian Pacific Railway, the road was to be built throughout on Canadian soil, that we were to have a railway from ocean to ocean which should terminate, both east and west, at a Canadian port. So far as the burden imposed upon us by the immense amounts expended in the west was con-

cerned, we looked forward to having a return in the east as soon as the road was completed and connections made. Of course, the Intercolonial Railway had been built years ago, but, so far as the section of New Brunswick, which I have the honor to represent is concerned, that railway is practically useless. There was a treaty made many years ago between the British Government and the United States in which we were unjustly dealt with, in which New Brunswick was robbed of a large portion of her territory, and the State of Maine interposed, as a wedge, between our Province and the other Provinces. Therefore, when the Intercolonial Railway was built, it had to be built in such a manner that it was of very little benefit to the portion of New Brunswick in which I am particularly concerned. I am not going into the question whether it was properly built or not, but, having been built as it was, we claimed that we should have some shorter means of communication with the Canadian Provinces. In justice to the Government, I must say that a few years ago, when the Railway Department was under the control of the hon. the Minister of Finance, provision was made for a short line, which line is now being proceeded with, and will bring, when completed, our city and the western portion of New Brunswick in connection with the great system of western railways. But this is not all we asked for. We felt that, in addition to that, we had the right to have some attention paid to us, St. John being the nearest seaport in Canadian territory to the great railway centre and business mart of the Dominion, the city of Montreal. Last fall, to our astonishment, we discovered that the Government were advertising for tenders for an ocean mail service to commence on the 1st April, 1888, in which the port of St. John was entirely ignored. That advertisement called for tenders for an ocean mail service from Great Britain to Canada, carrying mails from Liverpool to Halifax and thence to Portland, or such other port as the Postmaster General might direct. Portland was then clearly named as the terminal point. The Minister of Marine, in a speech he delivered at St. John during the election campaign, stated that the option of the Postmaster General with regard to Portland, or to any other port he chose, was inserted in the advertisement with the understanding that it covered the port of St. John. While that may or may not be so, it seemed to the people of New Brunswick that that placed us in an unfair position, considering the position in which we stood towards the Dominion. We considered that, seeing that our Province had borne its share of the burden incurred in the development of the North-West and the construction of the Pacific Railway, our port should receive the first consideration, and that Portland or any other port in the United States should not have the benefit, but that the trade from the west should go to ports in the Dominion. In consequence of that advertisement meetings were held in the Province of New Brunswick—in the city of St. John, in the county of York, in the county of Westmoreland—and for the nonce all party feeling was laid aside and we united on a common platform, and sent a delegation to Ottawa to lay the claim of the port of St. John before the Government. That delegation was composed of myself and the gentlemen who were then associated with me in the representation of the city and county of St. John, both of whom at that time were supporters of the present Government. We came to Ottawa, and succeeded in our representation so far that this advertisement was withdrawn and another advertisement was issued in which St. John was made a terminal point. It was not only the city of St. John, but the different counties in the Province, such as York, King's and Westmoreland, in which meetings were held, and but one feeling prevailed, that the claims of the Province should not be ignored. As I have said, we united irrespective of party. My hon. friend opposite, the member for Gloucester (Mr. Burns),

stood on the same platform with myself and others who differed with him politically. On that point we were a unit, and the result of our representations to the Government was the withdrawal of that advertisement and the insertion of a new one, making St. John one of the terminal points. So far we have nothing to complain of; our wishes were met in that respect, but I fear that beyond that nothing has been done. I do not want to detain the House longer than necessary, but I desire to call the attention of the Government to the great importance of this question to the Province of New Brunswick, and, in the present position of the city of St. John, it is a matter of vital importance. Perhaps no part of the Dominion has suffered more severely at the hand of Providence than the unfortunate constituency which I have the honor to represent. Ten years ago our whole city was laid in ashes, and I and others in common with me found our homes and our places of business destroyed, and a blow was given to us greater than almost any city in any part of the world has suffered from. Our people have struggled and are struggling to retrieve the great misfortune which befell them on that occasion, but misfortune seemed to follow us. We had financial misfortunes, and this year, when we have scarcely recovered from the result of the fire, we found a great portion of our Province devastated by the heavy floods and freshets. Therefore, in bringing this matter forward and alluding to these circumstances, I think I produce a great claim upon the Government and people of Canada in view of our misfortune, and am entitled specially to urge our claim to being the winter port and one of the terminal points of the ocean service between Canada and Great Britain. A great deal has been said heretofore about the difficulty of access to the port of St. John. I am not going to enter into that question further than to call attention to the statistics which are clearly set out in a pamphlet which has been issued by the Board of Trade of St. John. Those statistics, which have been sent, I believe, to every member of this House, show clearly that the ideas which had gone abroad as to the dangers of the navigation of the Bay of Fundy, exist entirely in imagination, that, in comparison with other portions of the ocean, our bay affords great safety; and when people talk about the danger of navigation between Halifax and St. John, it should be remarked that such danger, if there be any, is on a common course between Halifax and Portland, and Halifax and St. John. I recollect that twenty-seven years ago I saw the steamships of the Allan line lie in the harbor of St. John. At that time they came to Portland for the mails, but Portland had no cargo for them. There was nothing at Portland to fill those steamships except the mails, and so they came to St. John for their cargo and went back to Portland for their mails. As we are now in connection, and are soon to be brought into close connection, with Montreal by winter railways, we claim that we should be thought of, and, while we do not wish to rival Halifax or interfere with her claims, we, in common with Halifax should be one of the terminal points in regard to the ocean mail service between Great Britain and Canada. During the election campaign, the Minister of Marine undertook to say that the motion which I put forward was simply a motion to block the Canadian Pacific Railway. Such was not my intention. I believed then that it was my duty to bring that matter forward, and I believe I was joined in that by many of the people from the other Provinces, and that I echoed the feeling and sentiments of the people of our Province, that, while granting these large aids to the Canadian Pacific Railway, and while expending so much money to bring the west into connection with Montreal, the Maritime Provinces should also be considered, and, as British Columbia should be the outlet of the Dominion on the west, the Maritime Provinces should be the outlet on the east. On that occasion the Minister of Marine said that he believed it was the will and wish of the Canadian Pacific

Mr. WELDON (St. John).

Railway to make the ocean outlet of the railway at a port in the Maritime Provinces. I hope and trust he was fully authorised to make that statement, but I fear that efforts are being made to divert that trade and send it to outlets in the neighboring republic instead of to the Maritime Provinces. To enable that to be done, I think we have a right to call upon the Government to give assistance towards subsidising a line of steamships to carry the mails, and I believe they will be delivered more speedily at Halifax or St. John than at any other port of the Dominion. I hope they will give such a subsidy as will carry out what they have pledged to do, according to the statements of the Minister of Marine and Fisheries, so that we may have a line of steamships between St. John and Halifax on this side, and Liverpool on the other. During the election campaign the Board of Trade in the city of St. John addressed a circular to the different candidates with regard to their views on this subject, and I can say that every candidate, without exception, pledged himself to this course. To a circular from the Board of Trade, the Minister of Marine and Fisheries, on 14th February, replied as follows, after acknowledging the receipt of the circular:—

"In reply, I beg to state that, inasmuch as the Government has already decided to call for tenders for a line of ocean mail steamers to run, starting from Liverpool to Canada, touching at Halifax, and thence to St. John as a terminal port, and return, and, as advertisements therefor have been issued since 2nd November, I consider that the question of St. John being the terminal winter port for the Canadian mail steamers, is practically settled. I have no reason to believe that any change will be made from the decision already arrived at. As one who cheerfully contributed to the settlement already reached, I shall certainly oppose any attempt to change it, by whomsoever it may be made."

I looked, of course, with great expectations and hope from a statement made by a Minister of the Crown, and I trust that he, in common with the other representatives of the Province of New Brunswick, will endeavor to prevail upon his colleagues to carry to the full extent the admitted claim of the city of St. John. Again, in a meeting in the city of Portland, in my own constituency, on the 14th February, the Minister of Marine and Fisheries stated:

"Before the delegation from the city of St. John started for Ottawa, the Government had withdrawn the advertisement for tenders. I further tell you that there are gentlemen in St. John who received telegrams from myself, stating the advertisement had been withdrawn for amendment. Notwithstanding this, the delegation very properly proceeded to Ottawa, and laid their case before the Postmaster General. This they were perfectly justified in doing, as they were entrusted with an important mission by the people of St. John. They proceeded to Ottawa, laid their case before the Postmaster General in presence of Sir Hector Langevin and myself, and we then presented the claims of St. John before the whole Cabinet, when the Government, without a dissenting voice, declared that the demand from St. John being reasonable, should be acceded to. The optional clause naming Portland as a port of call was eliminated, and it was ordered that in the new advertisements for tenders the steamers to carry the mails between Great Britain and Canada should leave Liverpool, come to Halifax, and make St. John their terminal point. I am here as a member of the Government to tell you that this decision was arrived at without a single dissenting voice being raised against the demands of the city of St. John. I also am prepared to say to you that this solemn promise of the Government will be carried out."

I trust these were no mere election speeches for the purpose of influencing the electors of St. John, but that the promise of the Minister, both in reply to the circular of the Board of Trade, and in his address to the electors of St. John, will be honorably carried out by the Government. We claim now something tangible. We were led into Confederation by the belief that we were to be the Liverpool of the new Confederation, that the great centres of trade between Canada and England would be the cities of St. John and Halifax. How far time has worked out those promises, must be evident to every person. Instead of those promises being fulfilled, we are being drained of our resources which are going from the east to the west, and we feel that we are in such a position that we are justified in coming here and asking that those promises shall be faithfully and honorably carried out, and that the Government will establish an ocean mail service by means of such subsidies as will enable it to

come to those ports, I say that unless something of this kind is done, unless we see that justice is meted out to us, unless these direct promises are fulfilled, I, for one, will not answer for the feeling which may be created in our Province. There is no disguising the fact that there is great dissatisfaction with the position in which we are placed in consequence of Confederation; and if we are still to be deluded by false hopes, by false promises, if we are still to be put off by being told that certain events are going to happen, when we find that the very reverse of those events does happen, if the pledges put forth on the authority of a Minister of the Crown are not to be carried out, and if the trade of the Canadian Pacific Railway is to be diverted from us, to foreign ports, if our ocean and lake steamers, subsidised by the Canadian Government, are to enter ports belonging to a foreign flag, I do not know what may be the result. We have heard no uncertain sound in Nova Scotia with regard to their position in the Union, and I say here that, unless something is done to remove the dissatisfaction and restore us to our former prosperity, which we enjoyed prior to Confederation, I believe that before long you will find the people of New Brunswick following the people of Nova Scotia in demanding separation from the Confederation.

Mr. ELLIS. It is not necessary to repeat anything that has just been said by the hon. member for St. John (Mr. Weldon). But I would like to call the attention of the House to another statement made by the Minister of Marine and Fisheries. In addition to his letter to the Board of Trade and his speech at Portland, at a meeting held in the Mechanics' Institute in St. John, the Minister, in presence of his friends and the public, made a statement to the same effect. He said:

"St. John is now fixed upon, as far as the Government can do it, as one of the winter ports of Canada on this side of the Atlantic."

We have as yet seen no evidence that any effort is being made, at any rate as concerns St. John, to carry out that pledge, or to make any preparation for fulfilling that promise. But I wish especially to remind the Minister of Public Works of a visit that he made to the city of St. John some years ago. He was taken over the harbor with a large number of his friends, and was taken around the city, and was shown all the principal points in the harbor where it was believed improvements were desirable and would be made by the Government. At the end of that programme, another one was entered upon at one of the public places of the city, where the Minister met a great many friends. On that occasion he made a very excellent speech in, which he described the pangs of sorrow that he felt on leaving the city of St. John, and he spoke so pleasantly of his visit, and of the excellence of the harbor, praising even the reefs and shoals over which he had been carried in safety, and he was so delighted with his experience, that his speech almost ran to music in describing it. He promised to carry away such recollections of his visit as would sooner or later issue in something practical being done for the city. That was five or six years ago, and we have not yet seen any evidence of the intention to carry out his promise. I regretted very much when the Estimates came down to find that there was nothing in them for the harbor of St. John, although the Minister has had several occasions to carry out his promise. Now, if there was anything in these promises made by the Government, it is time that the Minister of Public Works bestirred himself and did something in the direction which he indicated in that splendid speech to which we all listened with so much gratification on the occasion I refer to. I would like to know from the Minister if he can hold out to us any hope that these promises will be at any time in the future fulfilled? I observe in a letter, which was really intended for the public, written by a gentleman who is not in this House but is in Parliament, that if certain things

were done in this House, the construction of works in the harbor of St. John might possibly be taken up. I do not know how far he was authorised, or to what extent he had a right to speak; but I would like to know from the Minister of Public Works what assurance he can give this House that he will follow up the promise made by the Minister of Marine and Fisheries and start the necessary works in order to prepare the harbor of St. John for an Atlantic terminus.

Mr. BURNS. It is quite true that I stood on the same platform with the two hon. gentlemen who have just spoken. It is quite true that I entirely concurred in the sentiment at that time expressed, that nothing should be done to place St. John at a disadvantage with regard to the Atlantic mail service. It is also quite true that I agreed with those hon. gentlemen, and with other gentlemen belonging to the same political party as myself, in deprecating the idea that a port in any foreign country should be in a measure subsidised, or that a line of steamers having a port in a foreign country as its terminus should be subsidised by the Government of Canada. At that time arguments were offered to show the capability of the port of St. John, and that the trade of St. John quite warranted the Government in taking that harbor into consideration. It was instanced, as was said by the senior member for St. John, that many years ago when the Allan line had its terminus at Portland the vessels could not obtain cargoes there but came to St. John in order to fill up. Unlike those hon. gentlemen, I have faith that the promise made by the Government immediately after that meeting, or by a member of that Government, will be carried out. I have evidence of the intention to carry out that promise in the fact that the advertisements issued at the time were withdrawn, and others were substituted making St. John as well as Halifax a port of call for the line of mail steamers. Tenders called for by that advertisement are not due till about the fourth of next month, and I think it will be seen, at all events I hope so, that everything said at that time with respect to that matter, every promise made will be carried out. I have faith that the Minister of Marine and Fisheries will in every way redeem those promises, and not only he but his colleagues, will assent to the proposal that St. John should receive attention, and should be a port of call for the line of mail steamers. I quite agree with the hon. gentleman that the harbor of St. John is a magnificent harbor, that it is not inferior in many respects, and those most important respects, to any harbor in the Dominion. But I think something is needed in order to prepare the harbor for the trade of which it is surely to be the outlet. It has been suggested that the harbor should be placed in commission, and if I am not incorrectly informed, intimation has been given to parties interested that the Government will be prepared to promote that commission by, perhaps, doing what has been done elsewhere, advancing a sum of money in order to place that harbor in a proper condition as an outlet for the trade that will go there. We know that the Short Line Railway is now in course of construction, and that, in every reasonable probability, within a year or so, it will be completed; and it behooves the people of St. John to bestir themselves and take such action as will be necessary to put that port into a desirable state for the accommodation of the trade that is sure to fall into its lap. I repeat, that it is the duty of the people of St. John to bestir themselves. I believe the Government will bestir themselves, and do everything they promised to do for that port. I say again, I have more faith and confidence in the promises of the Government than those hon. gentlemen have; and I think they should be satisfied with the action taken, and reserve anything in the way of censure until such time as they find the Government fail to redeem the promises made by one of its members.

Mr. JONES. This question of mail communication is one of very great interest at the present time. I am glad to notice in the Budget Speech of the Finance Minister that he said :

"Tenders have been invited by the Postmaster General for rapid steam service across the Atlantic in order to utilise our great transcontinental highway, for we think the time has come when in the interests of the Dominion as fast and as good a service should exist between France and England and Canada as is to be found between either Germany, France, England or New York. If by any means we can succeed in establishing such a line of rapid steamers on the Atlantic we will not only make this a great transcontinental highway and rapidly develop our trade on the Pacific, but I believe we will be able to deliver the mails in Boston and New York, certainly in Chicago and all western cities, a very considerable time before they could be delivered through any other channel.

It will appear from that that the Government contemplate inviting tenders for a very fast mail service. I have no doubt that the Government, in taking this step, have considered the responsibility of their action and the subsidy that will be involved. Hon. gentlemen are aware that the question of a very fast line of steamers is merely a question of dollars and cents. Those large steamers travelling 18 or 20 miles an hour going to the United States can only be run at a certain season of the year to any advantage, and then only run at a very heavy cost. Therefore, I think the question will naturally come up, whether this Dominion is prepared to pay such a large subsidy for mail service as would enable the Government to obtain the same class of steamers as now run between New York and Liverpool. I do not want for one moment to undervalue the advantages of fast mail communication ; but I believe we may reach a point at which our service can be sufficiently satisfactory for the wants of our people under a more moderate expenditure of the public money. I think if the Government were to confine their aspirations to something like the *Parisian* or *Vancouver*, steamers of 15 knots, they will be able to secure the service of such steamers between the two countries at a very moderate outlay. But the moment they go beyond that speed, they must be prepared, as a matter of fact, for a very large increase in the amount to be given for mail service across the Atlantic. There is another point which, no doubt the Government have kept in view, and that is that the northern route, which those steamers coming into Canada have to take, is naturally a more intricate route, and one of a more boisterous character than the route which takes steamers to American ports, and a steamer, no matter how fast she may be, cannot at all times avail herself of her power when approaching our coast in a fog, or for a large portion of the year amongst the icebergs. There is another question in regard to which the hon. gentleman I think will hardly be borne out in his estimate, although I notice he did not lay down very positively that we could profitably deliver the mails in New York and Boston by our route as quickly as they could be carried by any other route—that is, I presume, by any other route. Now, the hon. gentleman will remember that the distance from New York to Halifax—assuming that the mails for New York were landed at Halifax in the winter time—would only take a steamer, of a character such as is contemplated, I presume, about thirty hours; and I presume that under hardly any circumstances could the mail trains possibly accomplish the distance between Halifax and New York in much less time. Therefore, taking into consideration the fact that steamers approaching our coasts at the usual season would have the necessary delays attending their being put out of their course, with all my desire to see Halifax a permanent depot for the landing of the mails both in the winter and summer time, if that were practicable, I think the hon. gentleman will see that these elements are likely to come in, and that they would naturally interfere with his calculations. However, I do not wish to say one word against the scheme if it can be accomplished. I thought it was only right to remind the hon. gentleman

Mr. BURNS.

that if the Government entertained the view of having a very fast mail service, anything approaching 18 or 19 miles on the Atlantic, between Halifax and Liverpool, or the St. Lawrence or Liverpool, it can only be secured at a very large increase in our present subsidy; and whether it is worth our while to increase the subsidy to any large extent to obtain one or two days' increased speed, is just a question for the Government and Parliament to decide. For my part I am disposed to think that steamers of 15 knots an hour on our northern routes, steamers which are ordinarily comfortable, are quite as good as under existing conditions we can afford. I think that from the experience of these large ships that run between New York and Liverpool, where many of them are laid up in the winter time, ships which consume as much as 300 to 350 tons of coal per day, it is manifest that the Government cannot expect to enter into any contract, unless they were prepared to give a much larger subsidy than they have been paying the Allan line.

Sir CHARLES TUPPER. Will the hon. gentleman allow me to interrupt him for a moment, as I do not wish to take up the time of the House in answering his observations, so extremely anxious are we to get on with the Estimates. I crossed in the North German Lloyds steamer *Trair*. We made 412 miles a day and the consumption of coal was 125 tons a day.

Mr. JONES. I am quite well aware that with the late improvements, with triple expansion engines, the consumption of coal has been materially decreased. But I was speaking of the New York steamers, with compound engines, upon which the consumption of coal is 300 tons and over. However, I merely mentioned that as an illustration of the difficulty of getting a very fast mail service. If the Government could get a very fast mail service without largely increasing the subsidy, it would be a very desirable object to attain, and we would all cheerfully acquiesce. But whether it is worth while to increase that subsidy to a large extent for the purpose of getting an increase of one or two days in the time, is a point upon which I think there will naturally be considerable difference of opinion.

Mr. SKINNER. Owing to a remark made by the hon. member for Gloucester (Mr. Burns), I wish to say a few words upon this question of the harbor of St. John. It will be remembered by members of Parliament who held seats here some years ago that an Act was passed whereby the harbor of St. John could be put in commission, but the Act only provides for taking the public property of the harbor. Well, the harbor of St. John has private property fronting upon it as well as public property, and of course persons owning private property feel that if the Government of the country become interested in the public property, and at the same time have control of the harbor, they will, in a business sense, endeavor to influence business towards their own property, and the owners of private property will not stand equally with the Government with regard to obtaining business. If the intention of the Government had been manifested in the direction of taking the entire property of the harbor, the whole people of St. John would have gladly come to the front and assisted in having the harbor put in commission, and they would have worked in harmony with the Government on that point. But the Government has not seen its way clear to do that much, and that is an element of difficulty in getting the owners of the private properties on the harbor to meet the others and put the harbor in commission. I hope the time is not far distant when the Government of the Dominion will see their way clear to meet the people of St. John on this point, and obtain the whole property and control the entire operations of the harbor, and so bring about the result which is mutually desired. I wish to say also that it is a point continually made against us in the press,

and wherever political speeches are delivered, and in Parliament as well, that nothing can be done with the harbor of St. John by the Government until it is put in commission. Well, the harbor of Halifax is not in commission, but there never has been the same difficulty in getting things done in the harbor of Halifax that there has been with reference to the harbor of St. John. The people naturally feel, therefore, that as the same friendliness is not manifested by the Parliament and Government of the Dominion towards the harbor of St. John when it is not in commission, as they have manifested towards the harbor of Halifax, they will not have that necessary care taken of them after it goes into commission, and, therefore, they have moved slowly upon that point—not because they lack enterprise or anything of that kind, but because they have looked at it as a purely business matter. For my own part, as far as my own influence goes, as one of the members representing St. John, if the Government would not go to the length of taking the entire property, I would be of opinion that it would be better to put the harbor in commission, even if they only take the public property. However, I cannot expect my views to be carried out as against the views of so many others, and I only state my views and say that I will be only too glad, so far as I can, to impress on Parliament, and on the Government as well, that it is the duty of the Government of the country, under the system in which the harbors are administered and the public finances of the country carried on, that they should come forward and take the entire property of this harbor and administer it as they do other harbors, that is, by commission. I may say that St. John does not come here craving favors, or anything of that kind. They come before the country as a matter of right; and I am not prepared to go even as far as my colleague has gone and say that if justice is not done we will seek to go out of the Union. I tell this Parliament the Province of New Brunswick is loyal to this Union; it always has been so, and it comes forward now simply asking for justice, and it will continue to ask for justice. The people of that Province do not come from the classes who are inclined to anything like rebellion. They are the descendants of the old loyalists who came not only to my part of the country but to many parts of western Canada as well. What we ask for is justice. We have stood by the Union. A large portion of our Province has not had the same faith in the National Policy, as it is called, that other portions of the Dominion have had; but it has stood to a large extent loyal to that policy. Our people have been taught to believe, from the press, the platform, and from Parliament as well, that the great National Policy included not only the trade policy, but the opening up of the North-West, and the building of the railroad to carry the entire trade as far as possible over Canadian soil from the Pacific to the Atlantic. Standing upon these propositions, the city of St. John, not only in its individual but in its corporate capacity, says to-night, through its representatives in Parliament, carry out that policy; do us justice; and whether you do it or not, we stand demanding justice, and we believe the time will come when we shall get it.

Mr. KENNY. I desire to say one word only. My hon. friend the senior member for Halifax (Mr. Jones) finds fault, as usual, with the Government; but, in this instance, it is because the Government desire to establish an efficient, complete, first-class transatlantic steam service between Canada and Great Britain. He thinks we should be satisfied with an inferior service. I do not believe that is the opinion of the people of Canada; and my hon. friend would be one of the first men in this House to find fault with the Government if they advertised for anything but a first-class ocean service. As regards the feeling of the community which we both have the honor to represent, I say the people of Halifax expect the Government to provide a first-class service.

Motion agreed to, and House again resolved itself into Committee.

(In the Committee.)

Public Buildings, N.B. \$18,150

Sir HECTOR LANGEVIN. The vote of \$3,000 for the Bathurst post office, custom house, &c., is to complete the work.

Mr. WELDON. Is the vote of \$9,000 for Dorchester penitentiary to complete the wing?

Sir HECTOR LANGEVIN. No. There is a balance on the contract of \$4,500; then there is furniture, stone dressing, and so on. We have a balance of \$8,800 in our hands, which, with this \$9,000, will cover those expenses.

Mr. WELDON. Is the contract for the new wing completed?

Sir HECTOR LANGEVIN. Yes. There is another vote of \$10,000 in the Supplementary Estimates which will be for the wing.

Mr. WELDON. What was the amount of the contract for the wing?

Sir HECTOR LANGEVIN. The amount of Duffy's contract was \$44,500.

Mr. WELDON. Has he not a large claim for extras?

Sir HECTOR LANGEVIN. There was a claim, but not a very large one. That has been settled.

Public buildings, Quebec..... \$125,175

Sir RICHARD CARTWRIGHT. Does this \$10,000 complete the Coaticook post office?

Sir HECTOR LANGEVIN. No.

Mr. LANGELIER (Quebec). What is the total estimated cost of that building?

Sir HECTOR LANGEVIN. About \$16,000 or \$17,000.

Mr. LANGELIER (Quebec). What is this \$4,000 for Grosse Isle Quarantine Station intended for?

Sir HECTOR LANGEVIN. It is made up of a number of small works, repairs, and so on. There are 28 different items.

Mr. LANGELIER (Quebec). Are they for the wharf or the buildings?

Sir HECTOR LANGEVIN. There is a balance on the contract of \$470; then there is painting, shingling, repairs to the brick oven in the bakery, repairs to the police quarters, and so on. If we touched the wharf, we should require to build a new wharf that the steamships might come inside of; but the Government did not think they could ask Parliament this year for a vote for that purpose.

Mr. LANGELIER (Quebec). I do not complain of that, but the amount of \$4,000 for repairs only, seems to be a large sum. I do not see how it could be possible to spend that sum for repairs on all the buildings.

Sir HECTOR LANGEVIN. It includes everything outside of the buildings. There are various small sums which very soon make up the amount.

Mr. LANGELIER (Quebec). The amount seems to me very large for these buildings, as they are all frame buildings.

Sir HECTOR LANGEVIN. That is the reason the repairs cost so much. If they were in brick or stone it would not cost so much to repair them.

Mr. CHOQUETTE. Is the Government going to ask for tenders for these repairs?

Sir HECTOR LANGEVIN. No.

Mr. CHOQUETTE. I hope the hon. gentleman will take his workmen in the county.

Sir HECTOR LANGEVIN. I will take good men.

Mr. LANGELIER (Quebec). What is the total cost of the buildings?

Sir HECTOR LANGEVIN. About \$29,000, including heating, fencing, &c.

Sir RICHARD CARTWRIGHT. What is the total cost of the Montreal armouries?

Sir HECTOR LANGEVIN. \$122,000. \$19,500 are required to complete them. Item Montreal post office, \$5,000, covers a number of items including the removal of a defective lead dome, lighting, clothes presses and other repairs.

Sir RICHARD CARTWRIGHT. What do you give per annum for the electric lighting the Montreal post office, and where do you get it?

Sir HECTOR LANGEVIN. We made an arrangement last year with the *Gazette* Printing Company, whose office is in the rear of the Post Office. They have the necessary apparatus and furnish the light. I gave the hon. gentleman last year the amount we paid, and it has not been increased. It is less than gas costs us. I have a report from my officer who says it serves the purpose very well indeed.

Sir RICHARD CARTWRIGHT. Is there not an electric light company in Montreal.

Sir HECTOR LANGEVIN. There was an electric light company at the time; but the terms at which we obtained the light from the *Gazette* building are better than we could obtain it ourselves, because we would have had to get all the apparatus and we had not the space for it in the building.

Sir RICHARD CARTWRIGHT. Did you invite tenders?

Sir HECTOR LANGEVIN. No; we asked the company whether they would let us have our light and their machine, and the officer in my Department, who is an expert in matters of that kind, said the price was less than we could get the light by gas or from the electric light company.

Mr. LANGELIER (Quebec). I am very much surprised this contract was given to a newspaper office, because there is a very large company in Montreal, the Royal Electric Light Company, which not only supplies the city of Montreal with electric light, but manufactures plant and materials for other electric light companies in other cities. The Quebec and Lévis Electric Light Company, in Quebec, have been supplied by this Montreal Company. The very portion of Montreal where the post office is situated is lighted by it. I would like to know how the prices paid for lighting the post office compare with those paid by private citizens or corporations. There are two kinds of light, the incandescent light and the arc light. Which of them is used in the post office?

Sir HECTOR LANGEVIN. I will give more details on concurrence. The light is the same as we have here, the Edison light, as the arc light is only suited for large halls or for outdoors.

Sir RICHARD CARTWRIGHT. Have you the contract for a number of years?

Sir HECTOR LANGEVIN. For five or six years, but we can stop it when we choose.

Sir HECTOR LANGEVIN.

Mr. LANGELIER (Quebec). If it is the Edison light that is used, I am the more surprised that a contract should have been made with a newspaper office, because I saw an advertisement a few weeks ago of the agent of Edison Light Company in Montreal, notifying the public that any one using the Edison or any other incandescent light would be prosecuted according to law for infringement of the company's patent. I, therefore, do not see how the Government can use the Edison light without having made an arrangement with the company.

Sir HECTOR LANGEVIN. That may be, and we will have to run the risk now.

Mr. LAURIER. Do I understand the Government has a contract with the *Gazette* office to supply them with light?

Sir HECTOR LANGEVIN. Yes, from their printing company which is exactly in rear of the post office.

Mr. LAURIER. Do they supply light to the Government and light to the public at large?

Mr. MULOCK. Do I understand the Minister of Public Works to say a contract was entered into extending over a number of years.

Sir HECTOR LANGEVIN. Yes, four or five years. I said so last year.

Mr. MULOCK. And the contract was entered into without any invitation for tenders.

Sir HECTOR LANGEVIN. Yes.

Mr. MULOCK. I think it was a transaction which ought not, for two very good reasons, to have been entered into. In the first place, it was obtaining a certain public service without adopting the wholesome rule of inviting competition, and it was specially incumbent upon the Government to invite competition in this particular case, considering the relations between the Government and the company which is supplying the light. The Minister may laugh. That is the way in which they dispose of all matters now. If they have no arguments, they laugh.

Sir HECTOR LANGEVIN. I have a right to laugh, have I not?

Mr. MULOCK. They have a right to laugh, but the objection is that one of the members of the Government is interested in this company, unless he has ceased to be interested in it. We have had over and over again to protest against the Government giving patronage, directly or indirectly, to themselves. Do we not know what this Government did a short time ago in the case of the *Gazette* company, when they gave them patronage to the extent of thousands and thousands of dollars at fabulous and unfair prices—fourteen times the proper amount, as my hon. friend from Quebec (Mr. Langelier) says—and who knows but that they are doing something of the same kind in this case? As trustees of the public money, it is the duty of the Government to have no dealings with themselves, directly or indirectly, whereby there is any trading or bartering whatever. They are engaged as trustees to administer the trust reposed in them, and they have no right to have contracts with themselves. The Minister of Public Works, in fact all the members of the Government, seem to think it is a perfectly proper thing for the Government to occupy this two-fold position: of being guardians of the public Treasury and dipping into the public Treasury, or allowing their colleagues to have dealings with the public Treasury. This protest has been offered over and over again in this Parliament, and before this Parliament, and as long as these transactions last I hope these protests will be raised. In this case, I say it is an indecent thing, the features of the case show that it was highly improper for the Government to issue a contract conferring benefits on one member of the Government without inviting public competition. In this

regard, I consider that they have been guilty of a breach of the public trust.

Mr. McMULLEN. The Minister said a moment ago that the electric light which is charged for here would cost somewhat less than gas. Did he include the cost of the fittings in that statement, the cost of fitting up the building for the electric light?

Sir HECTOR LANGEVIN. I understood from my engineer last year that it was so. As to what the hon. member for North York (Mr. Mulock) says, I understood that when my colleague the Minister of the Interior became a Minister of the Crown he ceased to have any connection with the *Gazette* Printing Company, so that portion of the argument must fall down.

Mr. MULOCK. Not quite. It would if I could admit the facts, but I do not admit the facts.

Sir HECTOR LANGEVIN. The word "indecent," which was used by the hon. gentleman just now, was considered improper when it was used on this side of the House, but he thinks he can use it on his side without impropriety. As I told the member for Quebec Centre (Mr. Langelier), I will give him the comparison between the cost of the two modes of lighting.

Sir RICHARD CARTWRIGHT. Will the hon. gentleman lay a copy of this contract on the Table? As we do not know when concurrence will be taken, perhaps he will do it to-morrow.

Sir HECTOR LANGEVIN. Yes. Last year the matter was laid before Parliament, and Parliament assented to it, and it is therefore not surprising that we have continued to act upon it.

Sir RICHARD CARTWRIGHT. You will bring the contract and lay it on the Table.

Sir HECTOR LANGEVIN. Yes, I will make a note of it.

Mr. McMULLEN. The Minister of Public Works says that when the Minister of the Interior, who, I am sorry to see, is not in his place, took the position of a Minister of the Crown, he ceased to be interested in the *Montreal Gazette*, and so could not be a party to that contract. When the Minister of the Interior was addressing the electors of my constituency, and I charged him, and those associated with him, with receiving \$25,311 directly and indirectly, and amongst other things, through being connected with the *Montreal Gazette*, he, in the presence of the audience he was then addressing, admitted that he was still a member of the corporation of the *Montreal Gazette*, and said that he did not know that it was any sin for a Minister of the Crown to receive money from the Government of which he was a member, for work performed by a company in which he was a corporator. I have, therefore, the word of the Minister of the Interior that he is still interested in the *Montreal Gazette*. I think it is highly desirable that the Government should keep themselves clear of any charge of playing into the hands of their own friends, by asking tenders for anything like this matter which is before the House. If any confidence is reposed in any Minister of the Crown, I believe it is as largely shared by the Minister of Public Works as by any other member of the Government, at the same time, I believe it is desirable in his own case and in his own interest, as well as in that of the Government, to see that in all such cases tenders are asked for, and the lowest tender accepted when it is otherwise acceptable. It would relieve the Government of a share of odium which will certainly rest upon them if they let contracts of this sort one to the other. The Minister of Public Works said that the cost of the electric light would be as low as that of gas in the *Montreal* post office. In order to satisfy the committee

on that point, we should have before us the cost of putting in the fittings for the electric light, so that we could judge whether the statement is fully borne out by the figures. I hope in the future that contracts of this kind will be let by tender, and that no Minister of the Crown will let a contract to another at the public expense.

Mr. LANGELIER (Quebec). What is this amount of \$4,500 for the Quebec custom house required for?

Sir HECTOR LANGEVIN. It is for the connection of the water service in the building with the city water works, also the plumbing in the building, which is rotten or destroyed and has to be replaced, and then there are general repairs, painting, cleaning and the superintendence, making \$5,000. We ask for, \$4,500.

Mr. LANGELIER (Quebec). I would like to know whether the Government are going to accept the proposal made by the corporation of Quebec in regard to the water-works. Negotiations have been going on for a long time with a view to supply the buildings from the aqueduct, and at last an offer was made at a very low figure to supply all the Government buildings, the Custom house, the post office and all the Dominion buildings in the city of Quebec. I do not know whether this last proposal of the corporation has been accepted by the Government. I think it is in the neighborhood of \$1,000.

Sir HECTOR LANGEVIN. The amount was considered excessive at first, and that is the reason of the delay. We tried to make an arrangement with the city water works, and the water of the city is introduced into the examining warehouse for, I think, something like \$300. But I think the city required more than that for the Custom house, and as we considered it excessive, we declined the proposition. We were disposed to pay a reasonable amount, but not an excessive one. However, I think the negotiations that have been going on will end in an arrangement being made between the city water works and the Public Works Department.

Mr. LANGELIER (Quebec). The demand was at first much larger than that, and was based on the rates charged to the citizens of Quebec; then there was a large reduction. The Minister knows that the rates charged to private citizens is 1.½ cents on a dollar of rental. Taking the estimated rental of the Government buildings, the amount charged should have been much larger than that. But as it was supposed that the consumption of water would be less than in a private establishment, the last demand made by the corporation was reduced to \$1,000.

Sir HECTOR LANGEVIN. Quebec drill hall, \$1,750. That is to complete the building itself. We will do the additional works by degrees.

Mr. LANGELIER (Quebec). Dominion buildings, Quebec, \$1,500. I see by the Public Accounts of last year that a large amount has been expended on so-called Government buildings. Is it proposed to expend any more money on those buildings?

Sir HECTOR LANGEVIN. There was a lease of a number of years, and we considered that this should be done because it was a condition of the lease. Quebec immigration building, \$25,000. This is to complete. There was a building completed two or three years ago on the break-water, and this is a building on the Louise Basin. Rivière du Loup public buildings, \$10,000. The total cost is about the same as that of the one I mentioned a little while ago, \$16,000 or \$17,000. They are all on the same plan. The public building at St. Jérôme, \$10,000, is on the same plan as the other buildings and will cost the same amount,

Mr. McMULLEN. I notice that St. Jérôme is not a county town. I have no desire to find fault with the erection of post offices where they are required, but I live in a town of 2,500 population, where we need a post office badly. There are three towns in my riding, with a population of over 2,000. We have been pressing for the erection of post offices, and the reply has been by the members of the Government that they would not erect post offices anywhere except in the county towns. I find they have departed from that course in the case of St. Jérôme, and if so, our people will be justified in pressing for post office accommodation. St. Jérôme has only a population of 2,000, and if it is to have a post office, I do not see why other towns of the same population, and even greater, should not have the same favor.

Sir HECTOR LANGEVIN. The information I have about it is this: St. Jérôme, inclusive of the parish, has a population of 8,000. It is the commercial centre of a large section of country, comprising the parishes of St. Jean Baptiste, Ste. Anne, Ste. Adèle, Ste. Marguerite, and a number of others, containing altogether a population of 20,000. It is the centre of a great colonisation movement, and a railway runs from the town into the interior.

Mr. LANGELIER (Quebec). I can corroborate the statement of the Minister that it is a very important centre. It has two railways, and is the headquarters of the colonisation movement going on in the Ottawa Valley. But that does not remedy the injustice of which my hon. friend has complained.

Mr. McMULLEN. In my county there are two towns with three railways running through them, and the town in which I live two railways are running through it, and if you include the township, you would have a population of 10,000. Strong representations have been made to the Department to get better post office accommodation in this place, for the Government have no post offices there except that which belongs to the party who happens to be the postmaster for the time being. If the Government is going to depart from the policy of confining the erection of post offices to county towns, I shall certainly urge upon my friends, or rather my opponents, to press upon the Government to carry out this rule as far as the three towns in my riding are concerned.

Mr. PRÉFONTAINE. (Translation.) I do not at all object to the vote of \$10,000 granted for the public buildings at St. Jérôme. I know that it is a pretty large centre, and the moment the principle shall have been established that in the Province of Quebec public buildings are to be constructed in such a place as that, we may, perhaps, run a chance to have some in other towns. I will mention, as an instance, the town of Longueuil, which is the chief town of the county of Chambly, and which, certainly, has a population more numerous than that of St. Jérôme. I presume that if it is the intention to carry out this idea, a sum at least equal to this amount granted to St. Jérôme will be put in the Estimates next year to construct public buildings in the town of Longueuil in order that that town may be put on an equal footing with the town of St. Jérôme.

Mr. LANGELIER (Quebec). Is it a Conservative town?

Mr. PRÉFONTAINE. (Translation.) The population is pretty well divided, but there is a majority against the Government. Still the Government is obliged to treat everybody in the same manner. During twenty years the town of Longueuil and the county of Chambly have given the Government their honest and hearty support, and as long as this thriving town has not been rewarded during these twenty years, it seems to me that the time has come to give it its reward. I must now add a few words with regard to the way in which the town of Longueuil is treated with

Sir HECTOR LANGEVIN,

reference to postal service. We are not only without a public building or post office, but we have not even a proper building to receive people who go after their mail. Suffice it to say that the place wherein the post office is kept is a small room about 15 feet square, and during winter or in bad weather during the other seasons, people who, after service on Sunday, flock in large numbers to the post office are obliged to stay out-doors waiting for their turn, the building being too small to hold them all. Besides—perhaps this is not the proper time to mention this fact which does not concern the Department of the Minister of Public Works, but rather comes under that of the Postmaster General—I will say that, with regard to the management, the post office at Longueuil is in a deplorable state. The postmaster does not know how to read fluently; it is his brother who does the work, and wonderful though it may be it is nevertheless a real fact that they have not a good pair of eyes between the two. The most extraordinary things have occurred at this post office. Letters, for instance, which were addressed to the "Longueuil Water Works" were delivered to John Lewis and *vice versa*. Representations were made to the Government, but for one reason or another, perhaps, because this postmaster was a good friend of the Government he was continued in office. I really believe it is scandalous to see such a thing, and that had the Government been correctly informed of this state of things a remedy would have been applied. I now point out that fact because that opportunity is offered, and I hope that, in a near future, if not for the sake of the member for that county, at least for the sake of the intelligent population of the county, and for the protection of the interests of that part of the county, the Government will manage to give us public buildings. If they cannot manage to give us these buildings immediately, that is to say next year, at least let them give a sufficient salary to a competent postmaster, so that this postmaster may procure a proper place to keep the post office; and, if it is intended to keep the same postmaster, it would be a good plan to give him a professor to teach him how to read.

Sir HECTOR LANGEVIN. (Translation.) I have taken notes of the remarks of the hon. member, and I will communicate them to my colleagues. I suppose the hon. gentleman is not very anxious that we should give this man a professor.

Mr. PRÉFONTAINE. I would prefer a new postmaster.

Mr. LANGELIER (Quebec). The item for the St. Vincent de Paul Penitentiary for tools, appears to be very large.

Sir HECTOR LANGEVIN. It is the ordinary vote.

Mr. LANGELIER (Quebec). Then it is worse than if it had been an extraordinary vote. What are the convicts constructing with those tools?

Sir HECTOR LANGEVIN. This amount is to finish certain buildings, to provide tools, to furnish harness, fuel, light, and the ordinary items.

Mr. LANGELIER (Quebec). The stone used is within three hundred yards of the penitentiary, and is on Government property. We have, therefore, nothing to pay for the quarrying. The item for tools seems large enough to serve all the penitentiaries.

Sir HECTOR LANGEVIN. It is to finish one of the buildings, alterations and repairs, tools, fuel, light, harness, machinery, water supply, apparatus, three new steam boilers to heat the whole building by steam.

Mr. LAURIER. Who is the deputy warden now?

Sir HECTOR LANGEVIN. I cannot inform you, as that is not within my Department.

Mr. CHOQUETTE. (Translation.) Before we pass on to the item concerning the Province of Ontario, I desire to call the attention of the Government to a fact which is of most vital importance to my county, and especially the parish of Crane Island and the town of Montmagny. Perhaps I ought to have made these remarks with regard to the item concerning Grosse Isle, but the thing passed unperceived by me. The Government passed a contract with Captain Baker for carrying the Quebec mail and passengers to Grosse Isle, I would desire that the Government could induce the contractor to go as far as Crane Island which is only three miles distant from Grosse Isle and to return to Quebec, stopping at the wharf at St. Thomas on his return trip. We have a splendid basin, and, besides, the Government have built at great cost two wharves, that is to say, one at Crane Island and the other at St. Thomas. These two wharves are of no use for the present, but I believe they would be very useful if the Government could induce the contractors to go to these places once or twice a week to take the passengers who wish to go to the city and to carry the farm produce to Quebec. I am well aware that the contractor does not receive a sufficient price, at least from the information I have received, to incur this additional expense, but it seems to me that the Government ought not to begrudge a few hundred dollars more to induce the contractor to go to these two places in order to make his services more useful to the county. At the present time he goes twice a week to Grosse Isle and returns to Quebec immediately. The people from Crane Island who wish to go to Quebec must go to Berthier and take the regular boat to Quebec, which makes a distance of three leagues to travel besides crossing the river. It seems to me that if the Government gave a few hundred dollars more to Captain Baker he would be very glad to go to Crane Island and to St. Thomas, which would be of great advantage to these places, and the wharves which have been constructed there would be of some use. I do not see why the Government who have spent over \$30,000 would refuse to give a few hundred dollars in order that we may utilise these wharves to a certain extent; and I do not see any means of utilising them except by inducing the owner of the boat which is plying between Quebec and Grosse Isle to go to these stations to take the passengers and produce and to transport them to Quebec. I think that this would be to the advantage of the county of Montmagny and even of the neighboring county, the county of L'Islet. People would come to Montmagny, where twice a week they could take that boat and go to Quebec. At the present time the boat has no other interest than to go to Grosse Isle and very often she makes her trip for nothing. I believe that in the interest of Quebec it would be far better if the Government spent a few hundred dollars more to secure the service which I have mentioned and in this manner the wharves which we have would be of some use to the county. The parish of Crane Island is Conservative and the town of Montmagny has also been Conservative. It is true it has changed colors this year but it might change again. However, apart from political consideration, in the interest of the county of Montmagny and of the neighboring county, I believe that the Government ought to take upon themselves to make these changes, or to communicate with Captain Baker on this subject, and I know that by giving him a few hundred dollars more the line would be established and we would profit by it. Now I call the attention of the Government to what I have said with regard to the post office in the town of Montmagny. All that has been said by the hon. member for Chambly (Mr. Préfontaine) with regard to the post office at Longueuil may apply to the town of Montmagny. The hon. Minister told me the other day that he would pay us a visit in the course of the summer. I believe that when he will have seen for himself the kind of post office we have—we are a little better off than at Longueuil, our postmaster knows

how to read and write and he has the use of his two eyes—but when he will have seen the building in which the post office is kept, I am sure that he will not hesitate a moment in granting us a sufficient amount for the construction of a new post office. As regards the boat between Quebec and Grosse Isle, I believe the Government, in the interest of the navigation of the county of Montmagny, ought not to hesitate one moment in giving us a few hundred dollars to establish these communications.

Public Buildings, Ontario. \$183,000

Mr. COOK. I observe an amount of \$4,500 for the Barrie post office. There appears no sum in the Estimates for a post office at Orillia. Is it the intention of the Government to erect a post office there this year?

Sir HECTOR LANGEVIN. I am not in a position to answer that question now. I could not say what the Government might be disposed to do in that direction, and, therefore, the hon. gentleman will excuse me if I do not answer him now.

Mr. COOK. But the Supplementary Estimates are all down, and there is no amount in them for this purpose. Therefore, the work cannot be gone on with this year?

Sir HECTOR LANGEVIN. No.

Mr. COOK. I understand that the First Minister, and a gentleman who accompanied him during the election campaign, held a meeting in Orillia, and also visited the post office, and the First Minister said it was not adequate to the requirements of the town. He pictured to the people that the town would soon become a city, and he promised—I do not know whether directly or indirectly—that the time was not far distant when the subject of building a fine post office there would receive the consideration of the Government. I should like some explanation in that direction. I am sorry the First Minister is not present, and is not able to say what excuse he will give with respect to the promise he made to the people of that constituency.

Sir HECTOR LANGEVIN. I have no doubt that if the First Minister made a promise he will keep it.

Mr. O'BRIEN. I hope the Minister of Public Works will take the case of Orillia into consideration, as it is entitled to a new post office a great deal more than many other towns that have obtained new buildings.

Sir RICHARD CARTWRIGHT. What is it proposed to do with the amount of \$17,000 asked for Kingston penitentiary?

Sir HECTOR LANGEVIN. It is made up of a number of items, including material for general repairs to buildings, tools for quarrying, materials of several kinds, harness, reservoir for the storage of 60,000 gallons of water for fire protection, for farm buildings and for irrigation purposes, and a number of small items.

Sir RICHARD CARTWRIGHT. It seems a very large amount without there being a definite purpose in regard to its expenditure. As to the gas works operated at Kingston, the Government are on the high road to a serious lawsuit. The nuisance from those gas works is becoming a serious one to residents in the neighborhood, and I have no doubt whatever that, unless some arrangement can be made to put a stop to it, there will be quite a number of lawsuits entered against the Government, and unless the law for the Government is different from that for private individuals, heavy damages will be incurred. The properties there are valuable, and they will be seriously injured if the nuisance is not stopped.

Sir HECTOR LANGEVIN. I have taken a note of the matter, and I thank the hon. gentleman for having called my attention to it.

Sir RICHARD CARTWRIGHT. I am pretty certain that some correspondence has gone on with the Department of Justice as to the matter, and if the hon. gentleman will ascertain from that Department what the decision of the Government is, and what steps they propose to take, I shall be glad to have the information on concurrence.

Mr. BARRON. With regard to the vote of \$10,000 for Lindsay post office, Custom house, &c., I would ask, in the absence of the hon. member for South Victoria (Mr. Hudspeth), how much of that \$10,000 is to be employed in the purchase of the site, and how much for the building?

Sir HECTOR LANGEVIN. \$4,000 is for the site, and any portion of the \$10,000 over that will be applied towards the building.

Mr. BARRON. Then not more than \$6,000 is to be expended on the building?

Sir HECTOR LANGEVIN. Whatever the balance of the \$10,000 amounts to will go towards the building, which will cost about \$15,000.

Mr. McMULLEN. I am surprised to hear the hon. gentleman say that the Government paid \$4,000 for the site. I would like to know how they arrived at that amount, and how much land will be occupied?

Sir HECTOR LANGEVIN. \$4,000 is the amount which has been put in the Estimates for similar purposes for a number of years. When the lot costs only \$2,000, the balance remains there to be employed for the building, with any additional vote that Parliament may give. The amount for the lot depends altogether upon the locality. Sometimes it costs only \$2,500; in other cases \$3,000, \$3,500, or \$4,000 is paid.

Mr. McMULLEN. Has the Government yet selected a site for the post office?

Sir HECTOR LANGEVIN. Yes; a site has been purchased. It is lot No. 5, east side of John street, purchased from W. S. Wilson, and — White, for \$3,000.

Mr. McMULLEN. What is the quantity of land?

Sir HECTOR LANGEVIN. I do not think I can give you the exact quantity. It is an ordinary lot I suppose—about 70 by 100 or little more.

Mr. BARRON. I am sorry I misunderstood the hon. gentleman before. Does he say that only \$3,000 was paid for the lot?

Sir HECTOR LANGEVIN. Yes.

Mr. BARRON. Then I think the hon. gentleman is mistaken, as I happen to be one of the members of the church who had to do with the sale of the property, and we understood that \$4,000 was the price. I was anxious, therefore, to know what balance would be expended on the building.

Sir HECTOR LANGEVIN. I stated just now that the building would cost \$16,000, and the lot according to my note has cost \$3,000.

Mr. O'BRIEN. In the case of the Barrie post office, the town was required to provide the site. How is it that the same rule is not applied in both cases?

Sir HECTOR LANGEVIN. In certain cases the towns wish to have a special location where the building to be erected would cost more than if we selected another lot, and in such a case we say to the town: Give us a lot, and what otherwise we would have paid for the lot will be added to the building, if its location is such that the officers can report favorably upon it.

Sir RICHARD CARTWRIGHT. What is the total cost of the London Custom house?

Sir HECTOR LANGEVIN.

Sir HECTOR LANGEVIN. The amount of the contract is \$34,300.

Sir RICHARD CARTWRIGHT. You appear to require about \$56,000?

Sir HECTOR LANGEVIN. Yes, there is an addition to the building. The total expenditure on the new extension up to the 31st December, 1886, was \$26,000. The estimated expenditure from the 1st January to the 1st July this year is \$14,125. Then, what is required now will be \$22,000, which will be the total probable cost, with what we have expended.

Sir RICHARD CARTWRIGHT. What will the London Infantry School cost altogether?

Sir HECTOR LANGEVIN. The total probable cost of the building, including the heating, drainage, &c., will be \$129,000.

Sir RICHARD CARTWRIGHT. Does that include a gymnasium? I think it would be desirable, in most of the new buildings of this kind, to provide a gymnasium for training the men. It keeps them out of mischief and does them good in various ways.

Sir HECTOR LANGEVIN. I have not been informed as to that, but I think there is none provided for at London.

Sir RICHARD CARTWRIGHT. Have you bought the land for the Napanee post office and Custom house?

Sir HECTOR LANGEVIN. I think so. The lot is No. 5 on the east side of John street, and it was purchased from a man named W. S. Wilson, I think.

Mr. BOWELL. Not the member?

Sir HECTOR LANGEVIN. No.

Sir RICHARD CARTWRIGHT. What will be the cost of the building?

Sir HECTOR LANGEVIN. It will be about the same as the others—about \$16,000.

Mr. McMULLEN. I notice by the Auditor General's report that it cost us \$844.80 to drain the Orangeville post office last year. I cannot understand how it should cost that much money, as the post office stands on the side of a hill, and it would be quite easy to drain it into the creek.

Sir HECTOR LANGEVIN. As far as I can recollect, it was because we had to pay a share of the drainage of the street; otherwise we could not have had a proper drain for the building; and we thought it would be better at once to pay \$200 or \$300 more in order to have the building properly drained.

Mr. McMULLEN. I quite admit that it is desirable to have something permanent, but anyone acquainted with the place knows that the post office is situated in the fully-peopled portion of the town, and if everybody there contributed their proportion to that drain, it must be a very large and expensive one. I would like to have a little more information about this.

Sir HECTOR LANGEVIN. I have given the hon. gentleman the reason, and if he wants more information, if he will be kind enough to make a note of it and give it to me, I will try and let him have it on concurrence.

Mr. MITCHELL. Before going any further with this vote, I wish to say that I have looked carefully over these Estimates and the Supplementary Estimates, and I do not see that the hon. gentleman, for whom I have very great respect, has paid that attention which I expected to my request that he should build a wharf in the parish of Neguac, in the county of Northumberland. Will he tell me what portion of the Estimates I can find that item in? Perhaps

the hon. gentleman will take a note of it. Does the hon. gentleman hear me?

Sir HECTOR LANGEVIN. I am taking a note of it.

Mr. LANDERKIN. Are the custom house and post office in the town of Peterborough on the same site?

Sir HECTOR LANGEVIN. No. This vote of \$17,000 stands under the same title as it did in the first instance; but, as I explained last year and the previous year, the building that has been erected there is the post office. Another lot was purchased for a custom house, near the market place; so we do not ask any money for that this year.

Mr. LANDERKIN. From whom was it purchased?

Sir HECTOR LANGEVIN. From Mr. Taylor, I think.

Mr. McMULLEN. Has the custom house been erected in Peterborough?

Sir HECTOR LANGEVIN. This is for the post office. The other will come afterwards.

Mr. McMULLEN. Is it customary to put the post office and the custom house together, or to put them apart?

Sir HECTOR LANGEVIN. Sometimes we put them together, sometimes we do not.

Mr. McMULLEN. What is the cause of their being put apart in this particular case?

Sir HECTOR LANGEVIN. The town is already a large one and is extending, and I was informed that the place where we were putting up the post office was a very proper site, because it would be of service both to Peterborough and to the village of Ashburnham, which is separated from Peterborough by a river and a bridge, whilst the custom house and the inland revenue office would be better situated in the business portion of the town.

Mr. MALLORY. I would like to ask if the site of the Trenton public building has been purchased, and, if so, from whom?

Sir HECTOR LANGEVIN. Yes, the site has been purchased. It is on the corner of Dundas and Albert streets, 100 feet by 75 feet, from G. R. Murphy, on the 1st of February, for \$4,878.

Mr. MALLORY. I would like to ask the hon. Minister who the parties were who valued this property in Trenton, or if it was valued by any expert; or was it simply a matter of private contract?

Sir HECTOR LANGEVIN. The way these purchases take place is this: When the people hear that we want to purchase, offers are made to us of different properties, and we send an officer from our Department to examine and report upon the different lots, looking at the location, the surroundings, the facility of construction, the ease of access and so on. All these things we consider, and the properties being offered we know exactly what has to be paid. Sometimes we find that the price is excessive, and then we make an offer, and if the offer is refused, we do not take the property, but buy another lot.

Mr. MILLS (Bothwell). I would like to ask what has been done with the \$8,000 voted last year for the Prescott post office. Has the work been begun yet?

Sir HECTOR LANGEVIN. No. The intention is very shortly to buy a lot in the town, and then proceed with the erection of the building.

Mr. MILLS (Bothwell). Has any portion of the vote of last year been expended?

Sir HECTOR LANGEVIN. No; but we expect that that may be expended say up to the 1st of October, and then we will go on with the balance.

Mr. MALLORY. Were other lots offered the Government for this purpose, and were they examined and valued?

Sir HECTOR LANGEVIN. I cannot say what other lots were offered; it is not customary to give the list. But this was considered the best lot, and that was why it was purchased.

Mr. MALLORY. Is this the price set upon it by the officers of the Department?

Sir HECTOR LANGEVIN. Yes, \$4,878. The price was higher than that, but this was the price my officer thought would cover the value of the lot. Therefore, it was so arranged between the Department and the owner of the property.

Mr. MALLORY. I am informed on good authority that the lot was not worth anything like that value.

Mr. BOWELL. The price paid was precisely the price paid by Mr. Smith, whom the hon. gentleman, no doubt, knows very well, for a lot two or three lots further down the street, and this is a corner lot. The Minister refused to give any more per foot than was given by a private party for a lot further down, on which he built a wholesale warehouse.

Mr. MALLORY. That does not affect the information I have.

Mr. BOWELL. I do not know the information the hon. gentleman may have. I speak from personal knowledge, and the hon. gentleman may accept or reject my statement, as he pleases.

Mr. MALLORY. What is the cost proposed to be?

Sir HECTOR LANGEVIN. The same as the others, about \$16,000.

Mr. MALLORY. I care about as much for what the hon. Minister of Customs says as he does for what I say. I am here to discharge my duty for my constituents, and I think it is my duty to draw the attention of the Government and the House to these matters, and will do so whether it suits the hon. gentleman or not.

Mr. MITCHELL. Having been an old friend of the Minister of Customs, I do not like to see him take a course that is likely to protract the Session. Every consideration has been shown on this side, but if the hon. Minister will show as much petulance as he has shown to-night he will only succeed in delaying business.

Mr. BOWELL. I am very much obliged for the hon. gentleman's lecture and will try to profit by it.

Sir RICHARD CARTWRIGHT. I am sure the hon. member for Northumberland speaks with reason, for I recollect I had to make concessions to get items through.

Public Buildings, North-West Territories\$15,600

Mr. McMULLEN. Who is the inspector of public buildings in the North-West Territories just now?

Sir HECTOR LANGEVIN. At Winnipeg, Mr. Donald Smith; at Regina, Mr. Henderson; at Battleford, a gentleman whose name I forget; at Prince Albert, it is a clerk of the works we had at Winnipeg that we sent up there.

Public Buildings, British Columbia.....\$60,000

Sir RICHARD CARTWRIGHT. I thought that the British Columbia penitentiary was finished a considerable time ago. I think this expenditure of \$60,000 very large, considering the expenditure of last year. What is the penitentiary going to cost altogether?

Sir HECTOR LANGEVIN. The building will cost \$367,000 when completed. We have expended \$218,000 on it.

Sir RICHARD CARTWRIGHT. That appears to be an enormous sum of money for the service of so small a Province, and the number of convicts expected to be immured in that penitentiary. I see the number of convicts in British Columbia is not estimated to exceed 150. \$367,000 is a very large sum to spend on the erection of the requisite buildings.

Sir HECTOR LANGEVIN. When the ex-Minister of Justice visited British Columbia, he found that the building was in a very bad state. The floor was rotten, and the building was very small, so much so that the convicts had to be put two in a cell, and a number of them were sleeping in the passages. It was not safe, and we had to undertake a large extension. Then the building having been erected previously on a hill side, we had to make large works outside to cut the water from the upper portion of the land, and thus make the building habitable. These things have cost a great deal of money, and of course we had to complete them.

Mr. DAVIES. How does the expenditure on that penitentiary compare with the expenditure on the Dorchester penitentiary.

Sir HECTOR LANGEVIN. The expenditure on the Dorchester penitentiary, without the \$9,000 asked for this year, amounts to \$411,000.

Mr. DAVIES. That is a penitentiary for the three Provinces, and this one will cost as much for the little Province of British Columbia.

Sir HECTOR LANGEVIN. The work is not complete at Dorchester.

Public Buildings, repairs, furniture, heating, &c... \$415,000

Mr. McMULLEN. What is this for?

Sir HECTOR LANGEVIN. That is for all the buildings throughout the Dominion except three or four in the large cities for which we have special votes.

Mr. McMULLEN. Does this include Rideau Hall?

Sir HECTOR LANGEVIN. It includes Rideau Hall.

Mr. McMULLEN. I notice that Rideau Hall cost us last year for repairs \$26,280.40. I think the expenses connected with Rideau Hall require some attention at the hands of this committee. Last year we had a clerk of works employed there at \$90 a month. He draws \$1,080 as a salary, and last year he drew for extra time \$36, and for street car tickets \$25.15. I think it is not usual, when a man goes to work in the morning and returns at night, that he should be paid for his street car tickets to go and return. It is certainly not the custom with manufacturers and others, and the practice should not be adopted in our case. I notice also that we paid the chief carpenter \$183.50, travelling with the Governor General—that is Mr. Reed. He got \$819.36 as a salary for 331 days, and there are only 365 days in the year, and for the balance of the year he got \$183.50 for travelling with the Governor General. For carpenters and laborers in and around Rideau Hall, we paid \$10,066.13. For charwomen, we paid \$2,077.62. For crockery and flower pots, we paid \$192.13. For grates, stoves and hardware, we paid \$816.03. For paper and painting, we paid in one item \$673.03 to William Howe, and in another place we paid for paper and painting \$2,011.81. We bought nine water baskets—I do not know what they are used for—at \$5 a piece, that is \$45. We bought 380 yards of carpet, at \$1.40 a yard, and 206½ yards, at \$1, making \$739.32 in all. We bought 10 dozen damask napkins, at \$40 a dozen, that is about \$4 a piece, making \$400. We employed a man to do mowing at Rideau Hall, and, according to the way in which it came out in the examination before the Public Accounts Committee, he cut about fifteen tons of hay, and we paid \$65 for cutting and raking, besides the hands it required to take it in. I say it is time

Sir RICHARD CARTWRIGHT.

that some change should be made in the manner in which these affairs at Rideau Hall are conducted. Adding up the whole sum paid last year in connection with Rideau Hall, I find that it actually cost us a fraction over \$72 a day the whole time, not including the Governor General's salary, to keep up that establishment. It is time to make some change. I do not suppose it will be possible to make any change during the incumbency of the gentleman who now occupies the position of Governor General, but I suggest that the Government should lead anyone who occupies that position, after the worthy gentleman who now holds it goes out of office, to understand that he must find all the necessaries out of the very liberal salary which he receives. If he wants a flower garden, let him hire men and make his flower garden for himself. If he wants a vegetable garden, let him do the same. We find him the ground, and I think that is all the people of this country should be required to do. The present system is absurd. I find that last year we paid \$74.50 for garden seeds. That would produce vegetables enough for a regiment, not to speak of the Governor General and his attendants. I believe the people of this country will insist that some change shall be made in connection with the public expense at Rideau Hall. Paying a Governor General \$50,000 a year and giving him a residence which costs \$72 a day to keep in repair, and keeping up a flower garden, and a conservatory, and a vegetable garden, and mowing hay and supplying pasture for cattle, and all this kind of thing—it is unreasonable, and it is absurd that the people should continue to countenance and sustain the Government to carry on this matter in the way in which it is now carried on. I think it my duty to call the attention of the committee to it, and I hope the Minister of Public Works, under whose guidance this is conducted, will see that it is his duty to urge upon the Government to inaugurate a different system after the term of the present Governor has expired, and to lead whoever is to occupy the position afterwards to understand that he will have to grow his own vegetables at his own expense, and that he will have to buy his own napkins at \$4 a piece, if he wants them, and we will give him the privilege of taking them with him when he leaves the country and goes home, as a relic of the high position he occupied in Canada, I do not think it is right that the people of this country should be asked to continue this expense.

Harbors and Rivers, Nova Scotia \$76,950

Sir RICHARD CARTWRIGHT. Cow Bay, \$11,500. How much has been spent on Cow Bay altogether?

Sir HECTOR LANGEVIN. Cow Bay has been a very expensive cow—\$150,000 altogether. There is a breakwater, and it is the only harbor the people have in that section. I have never been there myself, but I understand it is a very important shipping place.

Mr. JONES. The work at Cow Bay is a very valuable public work. It was built by private individuals in the first place, under grants from the Local Government, but under the Administration of Mr. Mackenzie it was purchased by the Government from the owners. It is a very large work, and is absolutely necessary for the protection of the trade in that part of Cape Breton. A considerable amount is realised from it by tolls and wharfages. I do not think there is another appropriation in the Estimates that is more in the interests of commerce than this.

Mr. KIRK. Where is Blue Rock, for which you have an appropriation of \$3,500?

Sir HECTOR LANGEVIN. It is in the county of Antigonish.

Mr. JONES. Digby, \$40,000—was that under recommendation from the engineers? Have they reported on that work?

Sir HECTOR LANGEVIN. The old pier was destroyed by accident in a storm, and we made some repairs last year, to serve until we could get an additional vote. This is to build a pier on the other side of the bay, at a point where, I understand, the railway company wish to build a pier, at a place called the Racket. It is considered to be the best place, and will cost less money than if it were built where the old pier was.

Mr. JONES. That work is likely to be necessary for the accommodation of steamers between New Brunswick and Nova Scotia. They have no other means of landing, or communicating with the shore, unless by this pier. It is rather an expensive work, however. Laurencetown, \$1,200—has the hon. gentleman any estimates of this work? Will that finish it?

Sir HECTOR LANGEVIN. Yes, it is to complete. I think some of these works are in the county of Antigonish.

Harbors and Rivers, Prince Edward Island..... \$3,000

Mr. EISENHAUER. I see an item of \$600 to complete the breakwater at Petite Rivière, in the county of Lunenburg. I wish to inform the Minister that where that breakwater has been located, unless a further sum of money is expended, this breakwater will be altogether useless.

Mr. PERRY. With regard to repairs to breakwaters, piers, &c., acquired from Local Government, Prince Edward Island, \$2,000—I desire to inform the Minister of Public Works that this sum is very far from being sufficient for the requirements. That means exactly to allow the piers, breakwaters and wharves which this Government have taken off the hands of the Government of Prince Edward Island, to go to ruin and fall to the ground, as they left the wharf at West Point to break down altogether. The people of West Point live twenty-five miles from railway accommodation, and this wharf is the only point which they can use for shipping. It was built some years ago by the Local Government, and when commissioners were appointed to report upon which wharves the Government of Canada should take over, this was one of them. I find the wharf has been allowed to go down altogether, and the people have now no accommodation for shipping, and no means of tapping the Intercolonial Railway at Shediac and Richibucto. This is not a fair way of dealing with the people of the island. I say the sum of \$2,000 placed in these Estimates to repair over twenty wharves and piers which the Government of Canada have taken over from the Government of Prince Edward Island, is a mere insult, it is not going to put a patch upon one of these wharves; and unless the Minister brings down in the Supplementary Estimates a necessary sum, it means that they will all fall down to the ground. I am aware that the people of Prince Edward Island are paying, under this year's increase of the tariff, about \$100,000 a year in addition to the large amount of other taxes which they have had to pay into the Dominion Treasury; and I say they are very far from getting an equivalent to the amount they are called upon to contribute to the general revenue of Canada. I am surprised, I am astonished, to know that the Government will ask this House to vote the paltry sum of \$2,000 for the repair of all these public works in Prince Edward Island. It would have been far better if these piers had been left in the hands of the Local Government, because then they would have been taken care of, and we would have had the use of them, but since the Dominion Government have taken possession of them, they are allowed to go to ruin. I contend the Local Government has no power to build these wharves over again. They would have to obtain a license from the Federal Government to build wharves or public works. I say that is not a fair way to treat the people of the island.

Mr. WELSH. I also think the sum of \$2,000 will go a very short way to repair these wharves. I brought the question to the notice of the Minister of Public Works the other day, and I see that he has granted in the Supplementary Estimates for two wharves and piers at Vernon River and Pinette, the sum of \$1,075. It will require all that sum to put them in fair order. If \$1,000 is required for two wharves, how far will \$2,000 go in repairing twenty wharves? It is a very small sum, and will not be sufficient to carry out the work. On previous occasions I have spoken of the harbor at Pinette, and I am very anxious that the dredge, after it has completed the work at Tignish, should be sent to that harbor, and also to Wood Island. I see that \$1,000 is in the Estimates for the repair of the pier there. There is a breakwater there, and at present the harbor is perfectly useless on account of the amount of sediment which has washed in, no vessel being able to enter it. That breakwater must be dredged. If the Minister will make a note of these points and attend to them I shall be satisfied. I hope the wharves and piers will be generously attended, because in Prince Edward Island we are isolated and shut out from the rest of the Dominion for five months of the year, and we should obtain more consideration on that account. Some hon. members have spoken with respect to winter ports and ocean communication; we do not put in any claim for ocean communication, but we claim that the terms of Confederation should be fully carried out. I observe an item of \$20,000 in the Estimates for repairs to the *Northern Light*. It will take that sum to place the boat in an efficient state to perform the service during the coming winter. I want to know where is the amount in the Estimates of \$150,000 or \$200,000 to build a new boat for another year.

The CHAIRMAN. I would suggest to the hon. member to bring these points up on their appropriate items.

Mr. WELSH. We are working by the job and not by the day. The Minister of Marine has said the matter was under the consideration of the Government, both as to the building of a new boat and the repairing of the *Northern Light*. The people of Prince Edward Island want to understand fairly and squarely if the *Northern Light* is all they are going to get. I want to know.

Harbors and Rivers, New Brunswick..... \$22,000

Mr. ELLIS. I should like to enquire with respect to the breakwater at Negro Point? \$17,000 were spent last year, about \$53,000 for the year now running, and \$10,000 are asked for the current year. \$35,000 were in the Estimates of this year, the year running, and a Governor General's warrant was issued for \$18,000. The breakwater has been finished apparently for some time.

Sir HECTOR LANGEVIN. The hon. gentleman probably forgets that after the work was nearly completed, or had been completed, a storm came and destroyed a large portion of the outer end of the pier. We had, therefore, to incur a large expenditure to repair that portion, and we are now placing large stones in order to protect the pier, as we have done elsewhere. We have followed this course in the Lower Provinces especially in order to protect the timber from being destroyed by worms, and also to save the works to some extent from the effect of storms. We have found that this kind of work is much more desirable than the ordinary work.

Mr. ELLIS. Has the Department any idea that the breakwater will stand?

Sir HECTOR LANGEVIN. The information I have is that the work as completed will stand. Of course, it is like many other works; a very serious storm might damage it again; but we hope by the new mode of dealing with this breakwater it will be able to resist very serious storms.

Mr. WELDON (St. John). Will this complete the work? Is it under contract now?

Sir HECTOR LANGEVIN. \$10,000 will cover it. The hon. gentleman will see there is in the Supplementary Estimates for 1886-87 an amount of \$18,000.

Mr. WELDON (St. John). The work is under contract?

Sir HECTOR LANGEVIN. It is under contract.

Mr. WELDON (St. John). Who are the contractors?

Sir HECTOR LANGEVIN. The contract for repairing the breakwater amounted to \$96,000. The contractors were Steve, Duffy & Steve. They began in 1881 or 1882.

Mr. ELLIS. What has the breakwater cost up to this time?

Sir HECTOR LANGEVIN. Up to the 31st December last, \$408,000.

Mr. WELDON (St. John). What are these works on the River St. John?

Sir HECTOR LANGEVIN. They are for the improvement of the river—for tow-paths, &c.

Mr. WELDON (St. John). Where is this work on the Upper Salmon River?

Sir HECTOR LANGEVIN. It is in Albert county.

Mr. WELDON (St. John). What is this ballast wharf at Dalhousie?

Sir HECTOR LANGEVIN. The vessels that came through there were in the habit of throwing their ballast into the harbor, which was being gradually destroyed, and this is for the protection of the harbor.

Mr. WELDON (St. John). Is any revenue derived from it?

Sir HECTOR LANGEVIN. These works, when completed, are under the control of the Department of Marine and Fisheries. They generally put tolls on them and some revenue is derived in that way.

Harbors and Rivers, Quebec \$32,000

Mr. LAURIER. Where is this work at Barachois de Malbaie?

Sir HECTOR LANGEVIN. In the county of Gaspé.

Mr. LAURIER. What kind of work is it?

Sir HECTOR LANGEVIN. It is to clear the harbor, and this \$500 is applied to the removal of a large rock and some boulders in Barachois de Malbaie, a work recommended by the chief engineer.

Mr. LAURIER. What is this work at Beauport?

Sir HECTOR LANGEVIN. It is a small wharf on the River Beauport, for the accommodation of the traffic in stone, &c. The work at Chicoutimi is for piers there, and the work at Etang du Nord is to complete the harbor on the Magdalen Islands. The work at Isle Perrot is for a pier which was ordered last year and is now under contract. It will cost, I think, about \$6,000.

Mr. LAURIER. Is it on the St. Anne side or the Vaudreuil side?

Sir HECTOR LANGEVIN. It is at a point about a mile and a-half below the parish church; a place selected by the engineer. Other parties, I think from the county of Beauharnois, wanted it on the other side, but though that might have accommodated them, yet, as this work was for Isle Perrot, this was the place recommended. The vote for Rivière Lièvre is for a lock, in order that vessels may be able to come as near as possible to the foot of the rapids.

Sir HECTOR LANGEVIN,

Harbors and Rivers, Ontario.....\$78,000

Mr. CASEY. Is there not some mistake about this vote for Belleville harbor?

Sir HECTOR LANGEVIN. No, I think not. This \$7,000 is to meet the share of the Government for altering the channel for a distance of 4,500 feet long, 250 to 300 feet wide, and 8 to 10 feet deep. It was recommended by the chief engineer.

Repairs and improvements—Harbors and Rivers,
Manitoba..... \$2,000

Mr. WATSON. Where is it intended to spend this money?

Sir HECTOR LANGEVIN. There is no special destination for this. It is only for a number of small works, for which we may not be without a vote, and may not be obliged every time to get a Governor's warrant. We must have a margin in case of emergency.

Sir RICHARD CARTWRIGHT. I do not suppose anyone would object to a reasonable vote for the service of Manitoba; but \$2,000 is so small a sum for river and harbor improvements, that it would seem an almost useless expenditure. A vote like that seems like throwing money away.

Sir HECTOR LANGEVIN. My chief engineer says that it is for improvements and repairs not specially provided for in the Estimates, on account of their being so small in each case. The amount is small, but if the experience of the year shows that we need a little more, we shall have to ask for an increase next year.

Harbors and Rivers, British Columbia..... \$15,500

Sir RICHARD CARTWRIGHT. What sort of work does the hon. gentleman intend to do on the Fraser river with this vote of \$10,000?

Sir HECTOR LANGEVIN. This is to continue the work of closing the south branch of the Fraser river at its junction with the north branch, with the object of carrying the whole volume of the water through the new channel, for the purpose of scouring it or even increasing its present depth.

Dredging..... \$142,700

Mr. CASEY. I hope the hon. Minister will see his way to obtaining the dredging plant in Canada. I remember some years ago that a little dredging plant was obtained from the United States, and I had reason to know afterwards, from seeing the performance of certain Canadian made dredges in the port of Quebec, that Canadian dredging plant can be got quite as good as that from the United States. Perhaps the hon. Minister knows whether he intends to obtain this dredging plant in Canada.

Sir HECTOR LANGEVIN. I will not resume that discussion. The hon. gentleman knows that, in the previous discussion, I showed that we had reason to do what we did at the time. But in this case the intention is to acquire any such plant in the country.

Mr. PLATT. I would like to ask the Minister if any dredges have been lost by being wrecked or burned during the last four or five years.

Sir HECTOR LANGEVIN. Any that have been wrecked have been again put afloat. There may have been one that we put aside because it was old, but the others we have fixed up.

Mr. PLATT. There is a dredge missing somewhere, because I remember the hon. Minister, while on a visit to Pictou some five or six years ago, telling us that there was

a dredge to be sent to that harbor—that it was in fact then on its way. It has not arrived yet.

Mr. WATSON. I should like to ask if this vote of \$20,700 for new dredging plant includes any for Manitoba?

Sir HECTOR LANGEVIN. No; we have a dredge there, and we are now buying a tug, which I think is all that will be required.

Mr. WATSON. What is the size of the tug, and from whom has it been purchased?

Sir HECTOR LANGEVIN. If it has been bought, it was bought only last week. As to its dimensions, I think the hon. gentleman knows them as well as I do.

Mr. WATSON. I do happen to know a little about this tug, and that is the reason I want to have these questions answered. I am informed that a tug has been purchased on Lake Winnipeg for dredging purposes on Lake Manitoba and I would like to ask the Minister if he can tell me the price that has been paid for that particular tug?

Sir HECTOR LANGEVIN. The tug will cost altogether \$3,300 or \$3,400. The property is that of Messrs Johnson Fredrickson & Walker, of Selkirk. She was built in 1878, at St. Catharines, Ont., by John Doty, of Toronto. Her length over all is 60 feet, her main width is 10 feet 3 inches, her depth of hold is 4 feet 2 inches; her total gross tonnage is 69 tons.

Mr. WATSON. I submit that the Minister might have made a better selection of a tug than the one he purchased on Lake Winnipeg. There is a tug which has been in the use of the Government for the last two years on Lake Manitoba for handling the dredge and barges. I believe that no fault was found with that tug; and I am informed that it was offered to the Government for less money than the Government are paying for the other tug. The tug on Lake Manitoba will be totally worthless to the owner, for the simple reason that it was built for towing logs, and the owner of the tug has been deprived of the opportunity of getting timber. I submit that the Government should have purchased that tug, being a better one than the one they are about to purchase, and being right on the ground. I am informed the one they are about to buy is smaller than the one on Lake Manitoba, which was specially built for shallow water, having 50 horse power, and drawing 4 feet of water. Were any tenders asked?

Sir HECTOR LANGEVIN. No; none were called for because there were only two that would suit. If this tug is smaller than the other, that was exactly why it was purchased. We want a smaller tug, and the Government engineer, Mr. Gouin, reported this tug would suit.

Mr. WATSON. It is unfair to the proprietor of the tug on Lake Manitoba not to have purchased it, and it was unfair not to give him timber limits so that he could work his tug. I am not aware that the Government engineer found any fault with the tug when it was in use during the last two years.

Mr. EISENHAUER. It seems to me that the amount allowed for harbors in Nova Scotia is altogether out of proportion compared with that allowed the western Provinces. In this connection, I might refer to the harbor of Lunenburg which is now styled the Gloucester of the Dominion. Its fishing fleet now reaches about 100 sail, for which the harbor accommodation is altogether incomplete, so that during a storm the vessels at anchor get foul at each other. I would, therefore, impress upon the Minister to send the dredge down there to deepen the harbor.

Mr. WELSH. I would ask the hon. the Minister to send the dredge, when it is done working where it is now, to the harbor of Pinette and Wood Island. The Government

have laid out a very large sum of money in building a breakwater at Wood Island, which expenditure would be useless until the harbor is dredged.

Sir HECTOR LANGEVIN. We act upon the reports of the engineer of the different harbors where dredging is required, and we have to select the places where dredging is most necessary. No doubt the place the hon. gentleman speaks of will be among those laid before me and the chief engineer when the selection requires to be made.

Mr. DAVIES. What engineer would be sent to Prince Edward Island? I would like to call upon him and give him some assistance.

Sir HECTOR LANGEVIN. I think it is Mr. Egan; he may go this year or I may go myself.

Mr. DAVIES. If the hon. gentleman goes himself, he will see the necessity of dredging where my hon. friend has pointed out. If he does not come himself—

Sir HECTOR LANGEVIN. I will send the engineer.

Mr. DAVIES. If the hon. gentleman does not come himself, I hope he will take the statement of my hon. friend.

Sir HECTOR LANGEVIN. I never refuse to take the statement of a member of Parliament.

Mr. WELSH. If the hon. gentleman will send the engineer to one of the representatives of the district, I will devote a day or two to pointing out the wants of the harbor. If the hon. gentleman should send him to a man who knows nothing about harbors, he will get limited information. I hope the hon. gentleman will consult the interests of the country by giving the engineer instructions to call upon the representative of the district.

Mr. KIRK. I should like to enquire of the Minister what proportion of this \$30,000 he expects to expend in the different Provinces—what proportion, for instance, he will expend in Nova Scotia?

Sir HECTOR LANGEVIN. I cannot state that. It depends on the work to be done. This vote is for the three Provinces. If I find that in any one Province the work requires more attention than in another, I must do it.

Mr. KIRK. Then this \$30,000 may be all expended in one Province or in one harbor?

Sir HECTOR LANGEVIN. Do not make it an extreme case.

Mr. KIRK. I would suggest to the Minister the necessity of doing something in the county of Guysborough. Take the River St. Mary's, for instance. The people of that district have petitioned many times to have some dredging done. The Government have acknowledged the necessity of doing the work by the fact that they sent a dredge there once, but it was the wrong sort of a dredge, and it was taken away in consequence. They have never paid any attention to that place since, and the people are pressing for it. There is an absolute necessity for some dredging on St. Mary's River. Then there is Larry's River. That was partially dredged some years ago but there is more necessity for dredging now, and I hope the Minister will not overlook these two places this year.

Mr. WATSON. Where is it proposed to expend the amount of \$10,000 in Manitoba this year?

Sir HECTOR LANGEVIN. I cannot state now. As in the other Provinces, when reports are made as to where the dredging is most required, the vote will be used for that purpose.

Mr. WATSON. I would ask what has been the result of the report on surveys between Selkirk and Winnipeg on the Red River. Last year, \$750 were spent on that. Is

it the intention of the Government to do anything this year on the Red River, especially in regard to St. Andrew's Rapids?

Sir HECTOR LANGEVIN. I wish the hon. gentleman had given me notice of this, as there is nothing in the Estimates to call my attention to it. If he will give me a note, I will give him the information to-morrow.

Mr. WATSON. The hon. gentleman must remember this, as a deputation visited Ottawa last Session asking for it, and it was expected that this year an item would be put in the Estimates to have the St. Andrew's Rapids dredged, so as to afford navigation between these points. It is a matter of great importance to the people along the shore of Lake Winnipeg and to those operating timber limits.

Telegraphs\$20,000

Mr. MILLS (Bothwell). Is this line between Battleford and Edmonton still under the control of the Government?

Sir HECTOR LANGEVIN. Yes, these lines in the North-West are. I did my best to get the Canadian Pacific Railway Company to assume them, but they refused. I have no doubt that one of these railways going north, from Calgary to Edmonton for instance, will make arrangements to make connection with the other telegraphs.

Mr. MILLS (Bothwell). Was not this line to be taken over under the contract with the Canadian Pacific Railway Company?

Sir HECTOR LANGEVIN. No, they took those in British Columbia, but not this one. During the war, it was found that the line which went from Battleford to Edmonton was very often down because the poles were rotten, having been put in a swampy country, and it was thought better to set them from Battleford to Fort Pitt, then to Victoria, and then to Edmonton or St. Albert.

Miscellaneous Public Works..... \$36,000

Mr. MILLS (Bothwell). How is the amount of \$1,000 used for the National Art Gallery? Is it used to buy pictures?

Sir HECTOR LANGEVIN. No, we have not enough money for that. This vote is to pay the salary of the keeper and the charwoman and a young boy to take messages. Once we purchased a couple of Canadian paintings. There was one sent to the exhibition in London, and it was thought much of. That was, I think, "The Schoolmistress," who explains to the trustees that she has not enough salary. It was considered a very good picture and we bought it, but as a rule we have only just enough to pay the expenses.

Experimental Farms, buildings, fencing, &c.\$80,900

Mr. FISHER. I should like the Minister to state what are the buildings and fencing he proposes to put up on the experimental farm.

Sir HECTOR LANGEVIN. The statement I have here is that this \$30,000 are to these purposes: Central farm station, \$50,000; Maritime Provinces, \$6,000; Manitoba, \$6,000; North-West Territories, \$6,000; British Columbia, \$6,000. The contingencies make up the balance. The additional that will be required another year is \$50,000.

Mr. MITCHELL. How is it that the hon. gentleman has entirely overlooked the section of country from which I come? I suppose it is because I am out of favor with this administration. I would like some of the money that is being so liberally expended in other portions of the Dominion, to be expended in Miramichi.

Mr. WATSON.

Mr. CARLING. It is the intention of the Government to establish an experimental farm in the Maritime Provinces—one for the three Provinces.

Mr. MITCHELL. Is it the intention to establish it in Miramichi, county of Northumberland?

Mr. CARLING. No place has yet been decided upon. No choice will be made until the money has been voted.

Mr. MITCHELL. It is customary, before the money is voted, for Ministers to give information as to where they intend to spend that money. I have just heard of a trip—through the press controlled by the hon. gentleman—that on a very recent occasion, a number of gentlemen went out by invitation to inspect the experimental farm near this city. I would like to ask the hon. gentleman if, before locating an experimental farm in the Maritime Provinces, he would inspect some of the farms which we claim are suitable for such a purpose in the county which I have the honor to represent. I do not expect much justice from this Administration. I have not had it lately. I have been entirely ignored, and they do not ask my advice. But I expect, before we get through these Estimates, that I will get some consideration from this Government, and if I do not, they will hear from me.

Mr. FISHER. I would like the Minister of Public Works to tell us whether there are any details with regard to these estimates of \$50,000 to expend on the agricultural farm?

Sir HECTOR LANGEVIN. The details are those: Fencing, \$4,000; farm building and barns, \$3,000; building for museum, \$20,000; houses for other purposes, \$14,000. The total expenses of the central farm, as provided for in this estimate, is \$50,000.

Mr. FISHER. Is this additional \$36,000 to be laid out on the branch farm, or on the central farm?

Sir HECTOR LANGEVIN. I understand on both.

Mr. FISHER. Then \$50,000 will not complete the expenditure on the central farm?

Sir HECTOR LANGEVIN. The estimate, I think, is \$50,000 altogether, of which \$36,000 is to be expended on the other stations.

Mr. MITCHELL. I hope the Minister will take into consideration the claims I have put forward in relation to my county, and if he will visit the county I have the honor to represent, I am sure he will receive a very cordial reception.

Sir HECTOR LANGEVIN. The hon. gentleman may be sure that it will be taken into serious consideration, but the selection of the site must be made by my hon. friend.

Mr. AMYOT. In relation to the wharf at St. Michel, in the county of Bellechasse, the Government would do well to pay some attention to it. I understand that the position I occupy in this House does not give me much strength with the Government, but in the interest of the people of my county, it is of urgent necessity that this wharf should be repaired. If this wharf was destroyed it would cost the Government many thousands of dollars to build another one. As to keeping a wharf in good order, that is a matter of public interest, and ought to be outside of politics. Whatever may be the position of my county politically speaking, the Government should not forget the interests of navigation. If it was destroyed, perhaps the Government would have to expend \$50,000 to build another one. It is very useful in case of storm, and prevents many ships from being destroyed. It is useful to many counties, but it has been built by one parish alone.

Sir HECTOR LANGEVIN. I will consider what the hon. gentleman says, and see if we can do anything to that

wharf. I think the wharf was repaired last year and the year before, and I thought it was now in tolerably good condition. If we had to build a new wharf we would not build it exactly in that spot.

Mr. FISHER. I am glad to find that in this item some definite estimate has been made with regard to the expenditure upon the agricultural farm. I was a good deal disappointed on a former occasion when the Minister of Agriculture made some statements in regard to his estimates of the expenditure, both annual and capital, in relation to that farm, because it seemed to me these estimates were really very much guess work, and were not based on exact information. I confess that my idea on that head has been rather confirmed by what I have since found out in regard to the expenditure on this farm. I find that we have already expended, by vote of last year, \$30,000, by Governor General's Warrants, between the two Sessions of Parliament, \$25,000, making \$55,000. I find in the original estimates of this year, \$40,000 were charged to that farm. I understood the Minister of Agriculture to state that of that \$90,000, about \$30,000 was to be spent for branch stations, which would leave \$60,000 to be spent this year upon the central experimental station. Now, I presumed that that \$50,000 was going to include the expenses for carrying on the farm for the current year, as well as what actual outlay there might be in the improvement of the farm. I, therefore, estimate from the knowledge I have of the way it is being carried on, that probably there would be about \$10,000 spent for carrying on this farm, and that would leave \$50,000 to be spent upon the farm. This is to be charged to capital account, and with the items I have already alluded to, would bring the expenditure up to \$105,000. Then we find that the Minister of Public Works proposes to spend this year about \$50,000 in buildings and fences on the central farm. That brings the expenditure altogether up to \$155,000, or within \$5,000 of the amount which the Minister of Agriculture stated that the farm would cost when completed for experimental work. At first sight this appears to be within the mark and the Minister of Agriculture to have been successful in bringing it within his estimate. Since I have been over that farm, as I have been very thoroughly within the last few days, I do not consider the estimate of the Minister of Agriculture as at all probable to be sufficient. I took an opportunity of walking over the farm and making a thorough examination of its state, and I was much surprised to find that a large proportion of it is at present in a state wholly unfit for cultivation or for any experimental purposes. I find out of 466 acres, the rear portion, 150 or 175 acres, is to-day absolutely useless for any agricultural purpose, and it will require a very large outlay to make it in any way fit for even regular agricultural purposes, still less for any careful or accurate experiment. I spoke, on a former occasion, about the expense connected with buying a farm, and when we come to examine the property as I did, I felt myself fully confirmed in the judgment I expressed in regard to the high price which had been paid for that piece of land. I found that out of 465 acres a very large proportion, over one-third, is not to-day worth anything for agricultural purposes. The front portion of the farm, that portion which is in a fairly good agricultural state, I am prepared to say is good and capable of being made a good experimental station; the quality of the land, on the whole, is very fair, its state to-day is very fair to form the basis of an experimental station, and the situation of the farm in connection with the city is satisfactory and such as could be properly chosen for an experimental farm. But I consider that the portion to which I have alluded and to which I have taken no exception could be fairly paid for per acre at the rate for the whole quantity. I would not grumble at that price being paid for that portion; but the other portion is

practically worthless for an experimental station, and as it has been said by some hon. gentlemen and by some persons in the neighborhood that the farm is a good investment for speculative purposes, I would recommend the Minister of Agriculture to draw a line across the farm a little way back and leave the back portion untouched until he was able to sell it to outside parties. If so, it might be useful for speculative purposes; but a very large portion of the back part can never be used successfully for agricultural experiments. In connection with the price of the farm when properly ready for experiment, I may say that the back portion will cost over \$100 an acre to be laid out on it before it can be used for ordinary agricultural purposes for which farms should be used and are useful for. Taking 150 acres alone—and I believe there is considerably more—that would require an expenditure of at least \$15,000 to be put upon it before a large proportion of it can be used for any purpose in connection with experimental stations. Those prices alone without any future expenditure on buildings or on what we might fairly charge to capital, expenditures on implements, stock and things of that kind, the experiment of this agricultural farm will cost according to what figures we have, to commence with, leaving no margin for any increase, \$170,000 instead of \$160,000. That is leaving no margin for future increases or for anything in the shape of implements, stock or expenditure on the front part of the farm. I regret exceedingly that a good deal of work has been entered upon almost without any definite system. My own knowledge of agriculture leads me to believe that one of the very first things absolutely necessary in dealing with a large piece of land for careful and accurate cultivation, is to have it thoroughly drained. I do not profess or presume to be an authority on drainage; but it happens that when I went to examine the farm I was accompanied by a farmer from Ontario, an honorable gentleman representing one of the ridings of Huron, who is well known to-day as an authority on farming matters, specially in connection with drainage. In speaking thus I gave his opinion, because he does not happen to be present, otherwise I would not venture to quote him. His opinion was that the very first thing necessary was to lay out a careful system of drainage for the whole land. It is land that requires drainage before any experiment can be carried out on it. The management has commenced to do certain drainage here, there and everywhere, without apparently any system.

Mr. CARLING. That is not correct.

Mr. FISHER. If there is any system it is impossible to find it on looking at the works. More than that, on enquiry we could not find that a surveyor had been over it and marked out an accurate system of drainage or side drains.

Mr. CARLING. What time were you there?

Mr. FISHER. About a week ago yesterday.

Mr. CARLING. For one day or half a day?

Mr. FISHER. For half a day.

Mr. CARLING. In that time you would not be able to go over the farm.

Mr. FISHER. I walked pretty nearly over the whole farm. I confess a very large portion of the back of it you are not able to walk over dry shod, for it is absolutely in a state of swamp and I did not care to go through it. I walked over the improved portion and went to the highest part where you can look over the whole surface. There is not, except by the pond in front of the farm, any part over which I did not cast my eye. I walked over the farm in such a way as to ascertain the character of the soil, the lay of the land and the necessity of that drainage to which I

have alluded. I was informed by some of those working there—some were digging drains—and I asked them where the outlets were to be, through which the water was to be conducted.

Mr. CARLING. Would it not have been better to ask Professor Saunders.

Mr. FISHER. Unfortunately Mr. Saunders was not there, and I am speaking of what came under my personal observation.

Mr. HESSON. Scores of others have been there.

Mr. FISHER. The hon. member for Perth can reply to me if he wishes, after I am done, but in the meantime I intend to go on with my statement. As I was saying, one of the first necessities on a farm where drainage is required, is to lay out a careful and accurate system, and not a spade should be put in the ground, not a shovelful of earth should be turned out towards the completion of that drainage, without an accurate, elaborate and careful system having been adopted. I say positively that the work being done to day in the drainage of that farm, is not being done in the fulfilment of any such plan for the drainage of the whole farm, and that the result will be that a large portion of the work will be thrown away, and will have to be done over again, when an accurate system of drainage is being laid down and carried out. I have a few words more to say with regard to the estimates which the Minister gave us. I understood him to say that the annual expenses of the central farm and the four branch farms would be about \$35,000. I have taken up the report of Professor Saunders, as to the way in which the experimental farms were to be organised, and I find that certain officials are to be employed. I have made enquiry with regard to the salaries of those officials and I find that the director is to have \$4,000 a year. The assistants, according to the general statement of Professor Saunders, are to receive \$1,200 a year apiece, and I do not believe that competent men of more or less scientific attainments can be procured at anything less. That gives \$8,400. An accountant, I suppose, will be required, to keep the books and look after the financial affairs of this very large establishment, and I put him at \$1,000. Putting everything at the lowest estimate which I possibly believe the work can be done for, I say that ten ordinary laboring men will be required to conduct the work of the farm, and putting them at the low wages of \$250 a year, we have the sum of \$2,500, leaving out of account such men as the head gardener, who would certainly be required in careful horticultural experiments, and leaving out also two or three laborers of a better class than those who could be procured at the price I have stated. Then I take the four branch stations and I put the directors at \$1,500, and I do not believe the Minister has been able to get them at anything less. I see that those four branch stations are to have four assistant directors, and I put their salaries at \$1,200 each, the same as on the central farm. I estimate three hands on each of these farms, which is a low estimate, because they are intended to be farms of from 200 to 600 acres; and if they are carried on properly, as a government farm ought to be carried on, three hands cannot work them. But I give the Minister the benefit of the count, to make the amount as low as possible. I find that altogether \$29,700 will be required, simply for salaries and labor, without making any estimate whatever for ordinary expenses, for implements or seed, or artificial fertilisers, or any of the ordinary expenses of a farm, which, we know, in the case of a government farm, will amount to a much higher sum than they would under ordinary circumstances. Taking those expenses at what they might be taken at, in the case of an ordinary man making his living by farming, the Minister's estimate of \$35,000 will go nowhere near covering the annual expenditure. I re-

Mr. FISHER.

gret to find that the estimates of the Minister are, as I believe, mere guesses at what he hopes may be brought about. I do not consider that such an estimate of expenditure ought to be put before Parliament, and I believe, when a serious increase to our charges such as this is proposed, we should be furnished with all the details, either known or estimated, so that when questions are asked or criticism is vouchsafed the whole scheme can be put before Parliament, and it can be shown that the estimates are based on well ascertained premises. I have ventured to make these remarks because I am interested in this scheme, and I am sincerely desirous that it should be pushed through to a successful conclusion. I believe it is in the interests of agriculture that some means by which experiments can be made and put before the country should be established by the Dominion Government, and it is because I am desirous of seeing this scheme successfully carried out, and carried out so that we may get full value for the money we expend, so that the farmers may be benefited by the expenditure which will chiefly fall upon them, that I am drawing the attention of the House and of the Minister to these matters. I say that he should make a careful estimate of what he is going to do before he puts his hand to the work, otherwise, I regret to believe that this new venture will involve us in an expenditure which we cannot at present estimate, and that before long this work will bring discredit on the very class for whose benefit it has been instituted, as well as discredit upon those who have undertaken the work.

Mr. CARLING. My hon. friend seems desirous of finding fault with the estimates which have been made with regard to the central farm and farm stations, and particularly desirous of criticising and finding fault. I am glad the hon. gentleman has visited the farm, and I should be very glad indeed if other members would pay it a visit and see it for themselves. I think if they do so they will find that the farm is a very suitable one, and one which is well adapted for experimental purposes for the Dominion of Canada. I have not undertaken this matter without thorough enquiry and examination; for, in addition to Professor Saunders, who is a man in whose judgment everyone who knows him will have very great confidence, I employed an expert, a gentleman who has been valuator for the Huron and Erie Loan Society, and has examined the different farms which that society are taking as security for loans in the Province of Ontario as well as other parts of Canada. They spent a week in examining the farm of 460 acres; and the men who were with them took their spades and dug down into every ten acres on the farm. I think what they say about that farm has more value than what has been said by the hon. gentleman; and if the House will allow me, I will read the report of Professor Saunders and Mr. Barclay, the gentleman whom I employed as an expert, which was made to me after they had visited several farms in the neighborhood:—

"While inspecting the many farms which had been offered to the Government for sale, we examined also some other sites in the immediate neighborhood of Ottawa. Among these there was one which impressed us very favorably at the outset, on account of the beauty of its location and its nearness to the city. This property comprises about 400 acres in all, known as lots I, K, and lot L on Concession B, and consists of four separate farms and several smaller detached pieces owned in greater part by Messrs. Booth, Warnock, Stackpole, and to the Fellows estate. It is situated in the township of Nepean, about two and a half miles from the public buildings, fronts on the Rideau River road, and occupies a commanding position overlooking the city of Ottawa. We have carefully inspected these properties, examined the soil and sub-soil at different points on each lot, and find these lands to be possessed of most of those special characteristics which would, in our opinion, be needed in a central experimental farm. On the larger portion of the land referred to, there is a deep, dark, sandy loam, with a sandy sub-soil of good quality, becoming lighter in spots on the higher knolls; there is also a large area of clay loam and some heavier clay, both of the latter with a clay sub-soil. There are a few large trees at different points on this property, and a very pretty grove on one side of it near the canal—farther than this there is no original forest. There are, however, about seventy acres of second growth timber in all, on the

rear end of three of the lots, and about forty acres of this land is wet and swampy, but it is so situated as to admit of easy and thorough drainage. On this lower land we found a variety of soils, including muck, peat, clay and sandy loam which, when cleared and drained, would form pasture land of excellent quality. There is a field on the front and another along the northern boundary, on which there is some surface stone and an occasional outcrop of rock covering, in all about fifteen acres, most of which might be made fit for cultivation by removal of the surface stone, or otherwise used for experiments in forest tree planting or for pasture. The buildings on the farms are chiefly frame, and are of comparatively little value. There are good gravel roads approaching the property, and also on two sides of it, and all the front portion slopes nicely towards the city. A branch of the St. Lawrence and Ottawa Railway runs across the lower part of the front field, in which a switch or station could be conveniently located. The south-eastern side is bounded by the Rideau Canal. We are of opinion that this farm is well adapted for the purposes of a central experimental farm station; that it includes within its area a much larger proportion of the required conditions than any other property we have seen, and agree in recommending that this site be selected for the purpose named."

That is the report of these gentlemen, made after they had spent a week in examining the farm; and the hon. gentleman who has just been there two or three hours, comes to this House and condemns the land, and says there are 150 or 200 acres in it that are unfit for cultivation. I have been very careful in making my estimates. I stated a few nights ago in the House that the total capital expenditure on the farm would be \$160,000, and I feel satisfied that it will not exceed that amount. I stated that the capital expenditure on the experimental stations in the Maritime Provinces, and in Manitoba and the North-West, and British Columbia, would each cost something like \$35,000; I stated that the total cost of the experimental farm and the stations, when completed, would not exceed \$300,000 in all; and I stated that the annual expenditure would be from \$35,000 to \$10,000. Now, I think, it is hardly fair for the hon. gentleman to find fault with this site, and to criticise the estimates as he has done. They are not mere guess work with me at all. They have been gone over very carefully by Professor Saunders and by the officers in the Department, and I am satisfied that the farms, the buildings, the implements and stock required to commence operation will not exceed in cost the sums I have named. We expect to have some returns from the farms which we have not estimated at all, and if there are any more expenditures, we expect that the returns will meet them.

Mr. FISHER. What sort of returns do you expect?

Mr. CARLING. We expect to produce grain, fruit and stock, which, it is quite likely, we shall sell. As to the salaries which are to be given to the officers on the experimental farms, I may say that the officer at Guelph receives \$2,000 a year and a house, and is supplied with everything that is used on the farm, with all living expenses, including servants, &c., which really amounts to much more than the salary we are paying Professor Saunders.

Mr. FISHER. You are paying Professor Saunders \$4,000 a year?

Mr. CARLING. Yes.

Mr. FISHER. What do you estimate you have to give to the assistants?

Mr. CARLING. \$1,200 a year each for an agriculturist, a horticulturist, a chemist, a botanist, and an entomologist. I have carefully gone over these estimates, and they are not haphazard ones. The hon. gentleman has stated that there is no plan or survey of this farm, and that we are working according to no system. The hon. gentleman must understand that we only got full possession of the farm this spring and a most thorough survey has been made. We did get something over 100 acres late last fall, but we were not able to do anything until the early part of May. We have done some surface draining; we have sent men to dig ditches in the lower part of the farm, and I am glad to say that most of the water has been entirely removed; and if the hon. gentleman will go there next week and look at the lower part of the

farm, I think he will be able to inspect it without wetting his feet. I have had it from Professor Saunders and from other agriculturists who know what they are saying, that some of that land is the best land on the farm. On the whole, I am satisfied that we have selected one of the best sites that could have been had in this or any other part of Canada.

Mr. FISHER. I would like to correct the Minister on one or two points. I understood him to say that I condemned this farm unequivocally. I would draw his attention to the fact that I said that the front portion of the farm I considered a good portion, that the situation, being near Ottawa, was satisfactory, and when I condemned the back portion I stated what is its present condition. Without a further outlay of \$100 an acre, it would not be in proper condition for the purpose required.

Mr. CARLING. Did the hon. gentleman give an estimate? I have an estimate from parties that \$25 an acre would do for the removal of stumps and stones and complete the surface drainage.

Mr. FISHER. I have done the same kind of work, and have seen a great deal of it done. I give that as my estimate, and am willing to abide by what I say. I believe the Minister's estimate is too low, and that we will find him next Session asking his thousands of dollars to put the work through; if not, I am willing to stand corrected and to be proved by my statements to have been a false prophet. But if I should prove to be correct, as I am convinced I will, the hon. gentleman can give me the credit of knowing something about the subject. I am glad the hon. gentleman confirmed my estimates as to salaries and other charges; and from this I draw the conclusion that, as estimates, my figures were thoroughly correct. Of course, I am not possessed of the knowledge the hon. the Minister has, and I have made no comparative calculation, but I find my figures about the same as those of the hon. the Minister himself. He expects to have returns from the farm. I do not believe there will be any return. I believe that any animals he raises will cost him more than he will get for them, and that is one of the reasons why he should not have such a large area of land; 450 acres is too large to be used in experiments. If the hon. gentleman intends to raise grain or hay for sale, and to sell cattle, he will be entering into competition with the agriculturist, and he will be doing a work that is not justified by this report of Mr. Saunders, or by the experience of other authorities. It is not advisable that the Government should enter into ordinary agricultural operations, and undertake to raise agricultural products for sale. What they should do is purely experimental work, and such work could be done perfectly on one-half the present farm. I was told by a gentleman who, I believe, is an authority, that the Government could not get the front half without getting the back half.

Mr. CARLING. That is not the fact. We were anxious to get more if we could.

Mr. FISHER. I had hoped there was a loop-hole of excuse for the hon. gentleman, but I find there is not. Had there been the excuse I have stated, I was going to urge on him the advisability of leaving the back part of the farm in the state it is until he could sell it again, as the expenditure on it, I claim, will be very heavy and the results not at all commensurate.

Mr. CARLING. I am glad to get the hon. gentleman's advice, but I can assure him I have had the advice of numbers of agriculturists as experienced as he. I have consulted the best agriculturists and the most experienced farmers with regard to the course we have taken. The hon. gentleman is perfectly in order in criticising the Estimates, but I wish to assure him that I have not done this blindfolded, but have taken every precaution.

The hon. gentleman made a statement about drainage and about expense. I would ask him if he made an estimate of the cost of ditching and under-draining the farm?

Mr. FISHER. I stated I did not consider myself at all an authority on drainage matters.

Mr. CARLING. I understood the hon. gentleman to say it would cost \$100 per acre to put the farm in good condition. I am told by people who understand agriculture, and who understand draining and the clearing of farms, that \$25 per acre, or \$10,000 or \$12,000 in all, will be sufficient to put it in first-class condition, cleared and ditched; those parts which require thorough under-draining may cost somewhat more. With regard to the size of the small farm, we may want to produce seed grain and distribute that, either free or at a small charge, to different parts of the Dominion. If we grow wheat, barley, oats, we want land. We do not want to confine ourselves to ten or twelve acres, but may want to raise 100, 500, 1,000 bushels of wheat for distribution in different parts of the country. We are experimenting in fruits, and to grow the different sorts of fruit it requires land. If we have stock it will require pasturage; it will require hay, oats and food of different kinds. I think the hon. gentleman will see that when the farm is in thorough working order, instead of having too much land we will have too little.

Mail subsidies and steamship subventions..... \$196,300

Mr. DAVIES. Is the hon. gentleman, the Minister of Finance, in possession of information which justifies him in continuing the service between Pictou and the Magdalen Islands?

Sir CHARLES TUPPER. Yes.

Mr. DAVIES. I am led to believe there is no result commensurate with the expenditure.

Mr. WELSH. Is this subsidy to a line of steamers to run between Franco and Quebec of \$50,000 for commercial purposes or for steam service?

Sir CHARLES TUPPER. For commercial purposes.

Mr. WELSH. I object to large sums of money being granted to steamers for commercial purposes. Steamers are plenty, and wherever there is employment for them they can be had. Every harbor is crowded with steamers and ships. This is handicapping private enterprise. How can any private individual do business in competition with a line subsidised out of the pockets of the people. It is a bad principle. If it was to carry mails or passengers, I would say it is all right, but, if it is only for commercial purposes, I object altogether to giving subsidies and handicapping the shipping, and I think the members of the Government ought to look at this and view it in the proper spirit. What room is there for private enterprise? They are handicapped. How can a man contend against a subsidised line? It is a bad policy.

Mr. ELLIS. I agree with the hon. gentleman, so far as this trade is concerned. There is in fact no trade at all. The Province of Nova Scotia and the Province of New Brunswick are the only Provinces which, to any extent, export the produce of this country to France, and the total amount of the exports from Quebec to France last year was \$26,000. Why should the merchant vessels of this country be handicapped by subsidies given to steamers in a case like this? No doubt the wooden steamer will go down fast enough, but it is not fair that those who are engaged in that line of business should be pushed to the wall quicker than they otherwise would be by a subsidy granted to a foreign line. If there was a trade one would not object to it, but the whole of this proposal to subsidise a line between Quebec and France is purely sentimental. The whole of our imports last year from France might have been carried in one

Mr. CARLING.

steamer. They only amounted to about one million and a-half, and I do not see what benefit this subsidy is going to be.

The CHAIRMAN. Carried.

Mr. MITCHELL. Not quite. Not yet. I want a little information on this. I want to know first whether there is a line of steamers running between Quebec and France?

Sir CHARLES TUPPER. Yes.

Mr. MITCHELL. What line is it?

Sir CHARLES TUPPER. There is a contract entered into between an eminent French firm at Havre, the Messieurs Bossière, who are large ship-builders and ship-owners. Attempts have been made before to establish this line of steam communication between Canada and France, and those attempts have not been successful. These parties came forward, and they were the first who had abundant means who proposed to establish that line, and they said that, if we were prepared to enter into the contract, they would put their vessels on the route. One is now on the way from France here, and others will follow.

Mr. MITCHELL. How long does the contract run for?

Sir CHARLES TUPPER. For five years, but the Government are in a position to terminate it at the end of two years if they desire to establish a line of faster steamers between France, England and Canada.

Mr. MITCHELL. Of course, if the contract is entered into, we have simply to carry it out, but I quite agree with the remarks of the hon. member for the city of St. John (Mr. Ellis) that the objects of the vote will not compensate us for the amount of money we pay. I also agree with the hon. gentleman from Queen's, P.E.I. (Mr. Welsh), that, if this provision is purely for trade purposes, it is not very desirable to subsidise steamers which may interfere with the legitimate business of the people of our own country. There is another thing to which I desire to call attention. An annual subsidy was given in former years for the section of the country which I have the honor to represent, and that has been wiped out. That is in accordance with the treatment I have had from this Administration. They have cut out everything in which the county which I represent was interested, and I notice in the last item of this class of votes that a vote of \$7,500 which was supposed to be based on the subsidy of \$1,500 a voyage, for five voyages of steamers from a port in New Brunswick and in Prince Edward Island to Great Britain and continental ports, is cut out. I do not know whether that is because the member for Northumberland—

Sir CHARLES TUPPER. I will explain that when we reach it.

Mr. MITCHELL. I want to discuss it on this item. If the port of Quebec, St. John or Halifax is to get a vote, I want to know why the vote for the port I represent is to be cut out? If the principle is laid down which has been defined by the hon. gentleman from Prince Edward Island (Mr. Welsh), that private enterprise ought not to have to compete against subsidised steamships, I can understand this, and I have no objection to the vote being omitted; but if you subsidise a line to run from Quebec, Halifax, St. John or Montreal for pure purposes of trade, then I think it is an injustice to the port which I represent to strike that out.

Mr. WELSH. I want to point out to the Minister of Finance that the principle of the Government, as I understand it, is to encourage home industries. That is an admitted platform of the Government.

Sir CHARLES TUPPER. Hear, hear.

Mr. WELSH. Now, I want to ask if you are aware that the French Government subsidise their boats, give them so much a ton and so much a mile for every mile they run. Those boats get a subsidy for every mile they travel and for every ton they measure. Then, on this side, you subsidise these people out of our taxes, and how are you protecting our industries? You are ruining our industries. When I objected to the grant of \$7,500 to a steamer to run to Prince Edward Island simply for commercial purposes, I objected on principle. I still object. I object to subsidies being paid out of the pockets of the tax-payers of this Dominion for simply commercial purposes. There is enterprise enough in the people of this Dominion, and there is enterprise enough in the shipping of the world, to enable us to export anything we have to export at the lowest rates of freight which have been known since the world was made. You can get vessels to come in and carry your grain away for 4 pence a bushel to any port in Europe. What is the use of subsidising steamers for commercial purposes when we know that there are thousands of steamers seeking employment in every port of the world. I ask the Government to look at the position. They are going back on their principle. They are not protecting home industries; they are ruining home industries; and I say, as far as commerce is concerned, let there be some room for private enterprise.

Sir CHARLES TUPPER. There is no disposition on the part of the Government either to discourage home industry or to interfere with private enterprise, and this vote does neither. It is proposed with a view to establish trade, and there is no mode by which we can foster home industry better than by extending the trade between our own country and other countries. I confess that this vote is to a certain extent experimental. It is not being tried for the first time. Parliament, Session after Session, has ratified this vote. Effort after effort has been made to establish this line, and I had every reason to suppose that this was sanctioned by both sides of the House, as it has been sanctioned by both sides. Consequently the vote being here, and parties being prepared to take it up, a contract was entered into. We can terminate that contract at the end of two years if we desire, but if the contract proves to be advantageous, it can be continued for five years. If it should not be productive of good results, if it should prove that that trade cannot be established, if business cannot be provided sufficient to warrant the expenditure, having made the experiment fairly, it will be dropped. Had the hon. gentleman from Queen's, P.E.I. (Mr. Welsh) established, by his enterprise, a line between Canada and France, this would not have been proposed. If at any moment I found that the hon. gentleman or any other capitalists in this country were prepared without public aid to perform this service, we would be prepared to drop this subsidy; but there is such a thing as fostering an enterprise of this kind until it develops such a trade as to enable it to stand upon its own feet. It is only an experiment, and if the experiment fails, as the experiment did fail in the case where a subsidy was given to the line which ran from the county of Northumberland and touched at Prince Edward Island, it will be dropped. The experiment of the subsidy that was given to the line that ran from the county of Northumberland and touched at Prince Edward Island, failed. The hon. gentleman, holding, I suppose, views very different from those he has expressed to-night, succeeded in inducing Parliament to try this experiment. It was tried, it failed, and it has been abandoned. So, I say, that if this experiment should fail to accomplish sufficient results, it will be abandoned. But there are many cases in which an infant enterprise is fostered in the first instance by a subsidy, in a short time it becomes productive and develops such a trade that it can

stand alone, and the country gets the benefit of it. There is no disposition to use a dollar of public money in a subsidy for any purpose provided private enterprise is found sufficient. I am a little astonished at the hon. member for Queen's, P.E.I. (Mr. Welsh), who has been supporting a subsidy from this Government to interfere with private enterprise in establishing a line of steamships between Prince Edward Island and the mainland. Why does he do that? Why does he not oppose this \$10,000 that is paid by the Dominion of Canada to sustain that steam communication? Why does not he ask us to leave that to private enterprise? It is a short distance, and there is a great deal of communication between the two points. The hon. gentleman knows this vote is asked for the purpose of maintaining a communication, and of enabling mails, passengers and business to be carried on between the island and the mainland. I think the experiment is worth being tried, and if it does not succeed it will be abandoned.

Mr. WELSH. The hon. gentleman asks why I do not oppose a subsidy for steamers between Charlottetown and Picou, and Summerside and Shediac, connecting with the railway service and also carrying the mails. Will you get any steamers to carry the mails for nothing? Let the hon. gentleman look at the position in which he has placed himself. When I first got up I spoke of commercial purposes alone, but I said I would go in for a subsidy for carrying mails and passengers, but if the hon. gentleman should propose to leave to private enterprise the encouragement of trade between these two points I would be better satisfied. But they will have their own rates for freight. We have not got our own charges, we have to run at their rates. When we granted \$7,500 to a boat running between Northumberland and Miramichi, calling at Prince Edward Island, it did a great injury, for a bogus company was got up and ruined half of New Brunswick. No man can deny that. It was called a great fraud in the country. Now, I want to know what this line is going to develop? What have we to send from Quebec to France that you cannot get 50 vessels to offer for every one you want? What kind of boats are they? We have heard nothing about their build, nothing about their character. I would like to know some of these things.

Sir RICHARD CARTWRIGHT. I think if the Government have entered into a contract for a period of five years, that contract ought to have been laid upon the Table, and the authority of Parliament ought to have been obtained for it. An annual vote is one thing, and a vote for a term of five years, involving a quarter of a million, is another matter.

Sir CHARLES TUPPER. I will lay the contract upon the Table.

Sir RICHARD CARTWRIGHT. I think in all cases where the faith of the country is pledged for a number of years, the special sanction of Parliament ought to be sought. The vote we now pass is, on the fact of its being merely a yearly vote; but after the explanation given by the hon. gentleman, it means certainly \$100,000, and possibly \$250,000.

Mr. MALLORY. I think the hon. member for Prince Edward Island (Mr. Welsh) is quite justifiable in bringing this matter up. I think that not only does it interfere with private rights, with those who are engaged in the shipping industry, and handicapping some of our own ship-owners, but we must consider it in the light of our great National Policy and our system of taxation. Our Customs taxation in this country has thus far prevented any profitable trade being developed between those countries, and now this subsidy is asked to aid a line of steamships to develop trade between them. Now the Minister of Finance asks us, after having placed the taxes so high upon those commodities

which are proposed to be exchanged between these two countries, as virtually to shut them out—he asks us to tax ourselves indirectly again in order that we may establish this very trade that we have shut out by our high taxation. I maintain that the principle is a wrong one. If they want to establish a profitable trade between these two countries let them reduce the Customs taxation to such an extent as that a legitimate and profitable trade will spring up between these two countries, instead of fostering a hot-bed plant, as we are now asked to do.

Mr. MITCHELL. I want to set the Minister right on two points. He says this is the first experiment to establish trade between the St. Lawrence and France. Probably in his absence from this country, he has forgotten the facts. A subsidy was given for a line of steamers between France, Montreal and Brazil, and between Brazil, Montreal and France. Well, Sir, the thing proved a total failure, and collapsed.

Sir CHARLES TUPPER. That was a different project altogether.

Mr. MITCHELL. I admit it was a different project, but it was a project to open up trade between France and Canada, like this one, and it failed. I hold that this is money thrown away. If the Government have entered into a contract for five years, I say the contract should have been laid before the House. We should have had an opportunity of considering it before the Government pledged the faith of the country for five years.

Sir CHARLES TUPPER. The hon. gentleman will find that the contract is subject to the approval of Parliament.

Mr. MITCHELL. Then before Parliament is asked to vote this money, that contract should be laid upon the Table, that we may see it and let Parliament pass upon it.

Sir CHARLES TUPPER. It will be laid upon the Table.

Mr. MITCHELL. Then I think he ought not to press this vote until Parliament has had an opportunity of seeing the contract. But there is another thing. He says the vote to which I referred, and which has been dropped out of this estimate of the ordinary votes, has proved a total failure. I have yet to learn that it proved a total failure. It is true that the member for Prince Edward Island (Mr. Welsh) condemned it. That was because it was competing with his own shipping interest, and it may be wrong to subsidise vessels to compete with private trading enterprises. But why should one port, and that one of the leading ports of the Province, be dropped out of the list. There are lines from a great many different ports, St. John, Yarmouth, Port Mulgrave and others. There is a subsidy granted between Canada, Antwerp or Germany, \$24,000; also between Canada and Germany, \$24,000.

Sir CHARLES TUPPER. Have you not supported those votes year after year?

Mr. MITCHELL. I have not supported them year after year.

Sir CHARLES TUPPER. Did you oppose them?

Mr. MITCHELL. I tolerated them; but I oppose them now, if you want to know it. I say it is time that we reviewed our positions in regard to these subsidies. In view of the enormous debt being rolled up, millions a year, it is time we should pause and reflect. And if we are to have a single port, a port which I represent, dropped from the list, I think it is high time we should pause and consider the subsidies, and obtain explanations before we vote them. I do not think we should vote them without receiving further information. The contract under which the Government have incurred this liability should be laid on the Table, and

Mr MALLORY.

we should have an opportunity to consider whether we should affirm or cancel that contract.

Mr. DAVIES (P.E.I.). I trust the hon. gentleman will consider the propriety of the proposal made by my hon. friend.

Sir CHARLES TUPPER. I have stated that I will lay the contract on the Table, and the hon. gentleman knows there will be an opportunity on concurrence of dealing with this just as readily as now, and at this late period of the Session it is inadvisable to have two discussions. I will lay it on the Table to-morrow, and on concurrence the hon. gentleman, if he wishes to take the responsibility of interfering with this vote, or the hon. gentleman who has just sat down, will have an opportunity of moving and learning the sentiment of the House upon the subject.

Mr. DAVIES (P.E.I.). The hon. gentleman is not very reasonable in asking the committee to pass the vote, and afterwards bring down the contract, when he says the subject can be raised on concurrence. There is no time to discuss questions on concurrence. From the little experience I have had, I know that votes are carried unanimously on concurrence, and that a man who rises to discuss a vote is scarcely tolerated.

Sir CHARLES TUPPER. The hon. gentleman ought to know that concurrence is the only effective way of dealing with a vote. Does he mean to say that the vote of this committee would be a satisfactory mode of dealing with this item. It would not. It is with the Speaker in the Chair that substantial objections are made. I said I will produce a copy of the contract to-morrow, and if the hon. gentleman will take the responsibility of making a motion on concurrence, the sense of the House will be taken on the subject, and it will then be disposed of.

Mr. DAVIES (P.E.I.). I am sorry to hear the remarks of the hon. gentleman. He is well aware that it is in Committee of Supply that this matter can be properly discussed. We cannot discuss them now because the contract is not before us.

Sir CHARLES TUPPER. I have said what the contract is.

Mr. DAVIES (P.E.I.). On concurrence a member has only the opportunity of speaking once. The matter cannot be discussed as in committee, when information can be elicited. The request of my hon. friend is an extremely reasonable one.

Sir CHARLES TUPPER. I say it would be a reasonable one if the vote were introduced by me for the first time, but this is a vote taken year after year, and it is one which the hon. gentleman himself has supported.

Mr. DAVIES (P.E.I.) No.

Sir CHARLES TUPPER. There is no ground for taking the objection. I have stated distinctly that a copy of the contract will be laid on the Table; it is not a new thing. It was passed without question last Session. Under these circumstances I say there is no ground for objecting to the passing of the vote now, in the way in which it has been passed year after year, when an opportunity will be had on concurrence, with the contract on the Table, of dealing with the matter with the Speaker in the Chair, which is the only way in which it can be disposed of.

Mr. MITCHELL. I am extremely surprised at the attitude of the hon. gentleman. He says it has been passed by the Committee year after year. Everybody knows that the probability is that no division has been taken on the votes year after year.

Sir CHARLES TUPPER. The hon. gentleman will, perhaps, allow me to tell him that a contract was made.

Mr. MITCHELL. When?

Sir CHARLES TUPPER. Two years ago, when the work was undertaken to be performed.

Mr. MITCHELL. It is the first time I have ever heard of it, and the contract was never laid before this House. The hon. gentleman has read my hon. friend a lecture because he had chosen to criticise public measures, and it has been intimated that we have not the right to do so, because they were passed in former years; and yet the Government now tell us for the first time that a contract is made, and still ask us to pass the vote, although they have not chosen to bring down the contract. The hon. gentleman has promised to bring down the contract in this case to-morrow; let the vote stand till to-morrow, until we have had an opportunity of examining the contract. The hon. gentleman says that concurrence is the right time to consider this subject. I say it is not the right time, and that the proper time is when the House is in Committee, when we have free discussion and we are able, time after time, to meet the objections put forward from the Government benches. We have a right, and it is our duty, to discuss the subjects, and I say it is only reasonable that the vote should stand until the contract has been laid on the Table and we are able to judge whether it is a prudent and judicious contract or not, and I can tell the hon. gentleman that this is the first time I ever heard of the contract being made. I have asked explanations with respect to those two votes of \$24,000 each. Are we going to squander money in this way when the public necessities demand the utmost economy? I say the hon. gentleman should not ask at this hour of the morning, in the absence of the information which the Committee has a right to expect, to pass this vote and tell us that to-morrow he will bring down the contract.

Sir CHARLES TUPPER. I will allow this item to stand.

Subsidy for steamers between Liverpool and London or both and St. John, N. B. and Halifax, N. S. \$25,000

Mr. KIRK. This item stands in the same relation as the other one, and the same objection can be urged against it. I agree with all that has been said by those who have spoken in regard to the subsidies paid for steamers to do the work that should be done by private enterprise. I think this item should also be allowed to stand.

Mr. KENNY. I am thoroughly in sympathy with my hon. friend from Queen's, P.E.I. (Mr. Davies) as regards the great depression which exists to-day in our shipping. As a ship-owner, I can say that the great depression which exists in the Lower Provinces is mainly due to the fact that our shipping is so unremunerative; but I think our duty here is to facilitate in every way our export trade, and we cannot accomplish that unless by means of steam. I regret to have to say that sail as a competitor with steam has now no chance on the ocean; I regret it because I am a sailing-ship-owner myself. But we must do all we possibly can to cultivate our export trade, for the more we increase our exports, the more we cheapen the articles of export to those who consume them at home. We cannot develop a large export without regularity of shipment, and that can only be attained by the use of steam. I think it is certainly in the interest of the whole Dominion, and especially in the interests of the Lower Provinces, that this vote should be retained.

Mr. MITCHELL. I would ask the Government for some information, as to whether there is a contract, whether there is a line of boats running, because the House at present has no information, and I think we ought to have it.

Mr. KENNY. Steamers have been running for about two years.

Mr. MITCHELL. I should like the Government to give the information.

Sir CHARLES TUPPER. I think the hon. gentleman should accept information from whatever source it comes, but whenever an hon. member rises to give him information he objects.

Mr. MITCHELL. I am willing to get any information which the junior member for Halifax (Mr. Kenny) can give me, but I think we have a right to expect that a member of the Government, who proposes to commit us to this vote, should give us information as to whether this line is running, whether a contract has been entered into, with what company, and how often the boats run?

Some hon. MEMBERS. Carried, carried.

Mr. MITCHELL. It is not carried. I ask for that information.

Some hon. MEMBERS. Carried, carried.

Mr. MITCHELL. I ask for that information, and it has a right to be given.

Sir CHARLES TUPPER. I did not expect when I brought down this estimate—the hon. gentleman knows that I have not been in the country for some time—and I did not think it was necessary for me to arm myself with all the minute details of a subject on which the hon. gentleman is the last man who should be ignorant. He professes to be a representative of the Province of New Brunswick; he knows that this matter was brought down to the House years ago by my predecessor, Sir Leonard Tilley; he knows that he strenuously urged this vote for New Brunswick, that it was adopted, and that the estimate has been voted year after year. If it had been a new service I would have been prepared to give the fullest explanation, but absent from the country as I have been, I did not expect from a gentleman who professes to represent New Brunswick that he would attack a vote which was specially urged upon the House for the purpose of promoting trade between the port of St. John and the Mother Country.

Mr. MITCHELL. The hon. gentleman has chosen now to read me a little lecture, but I tell the hon. gentleman that while I do represent a constituency in New Brunswick, I am not a representative of St. John, —

Sir CHARLES TUPPER. Hear, hear.

Mr. MITCHELL—and I was not aware that a line of steamers runs from St. John, and receives this subsidy. I asked for information which I have a right to ask for, as a representative of the people, when money is being voted; and it is the duty of the Government to be prepared with that information, when they ask this House to pass this vote. The hon. gentleman thinks I should be the last to oppose the vote.

Sir CHARLES TUPPER. Hear, hear.

Mr. MITCHELL. I am not opposing the vote, and I will not allow him to put words in my mouth.

Sir CHARLES TUPPER. Hear, hear.

Mr. MITCHELL. But I want information about it—that is what I want—I have the right to get it, and I shall oppose the vote until I do get it. The hon. gentleman refers to Sir Leonard Tilley having put this motion on the paper. Sir, there are many things that Sir Leonard Tilley put on the paper that I did not approve of, and I say that with all due respect to that gentleman. In relation to this vote, if it is a proper vote, it is one upon which information should be given; and I want to see what the result of this expenditure of public money has been for this line of boats between the ports of St. John and Halifax and Liverpool, and the other ports of England. I think we have a right to this information, and the hon. gentleman is not going to bluff me down by putting words in my mouth that I do not approve of.

Mr. LOVITT. The junior member for Halifax (Mr. Kenny) speaks about taking out goods and bringing back goods on this line. I would like to ask what goods they take out. Does not the largest part of their cargoes consist of deals—subsidised vessels carrying deals.

Sir CHARLES TUPPER. I think this was a vote in which the hon. member for Northumberland (Mr. Mitchell) took so much interest.

Mr. MITCHELL. And which you cut off.

Sir CHARLES TUPPER. And which he induced this House to carry; and we are to understand that the public policy which animates the hon. member for Northumberland is not what is good for Canada or Nova Scotia or New Brunswick, but what suits his own little nook in the particular county he represents. It has come down to that. The hon. gentleman professes to have been a leading public man in this country—

Mr. MITCHELL. Did I?

Sir CHARLES TUPPER. The hon. gentleman is a leading public man in this country.

Mr. MITCHELL. Thank you.

Sir CHARLES TUPPER. The hon. gentleman has specially concerned himself with the Maritime Provinces; he has been an able representative of the interests of the Maritime Provinces, and yet he undertakes after one o'clock in the morning, to obstruct me in carrying through a vote for St. John, New Brunswick, and Halifax, on the ground that he had been sitting and voting this money year after year without knowing what was done with it, or what expenditure was being made. Did he never hear of the Furness line of steamers being put on between St. John and Halifax, and performing this service? Why, the hon. gentleman, as a great journalist, as a man whose special duty is to know what is going on in the country, especially with regard to important sections of the Dominion, like Halifax and St. John, ought not to be required to be told by me what service these boats are performing. I am glad the hon. gentleman attacks this vote from the Maritime Provinces from that side of the House. I am glad he is not sitting on this side to attack the interests of the Maritime Provinces, and the consideration which is being given to promote trade and business between the ports of St. John, New Brunswick, and other parts of the world. The hon. gentleman threatened obstruction in a defiant manner—that he would block and obstruct these estimates and weary people out, who ought to have an opportunity of going to their beds—he threatens to adopt such tactics as those for the purpose of simply delaying the progress of public business, and why? Because the Government have tried the experiment of establishing a line of boats. I suppose over-persuaded by the hon. gentleman, who brought a man here and used his influence to induce the Government to try this experiment, and failed. And, as has been said here, not only did the scheme fail, but the man whom the hon. gentleman induced the Government to aid in establishing it has also failed, and under these circumstances the service which was found to be useless was abandoned. And, forsooth, because this is the case, the hon. gentleman is going to wreak his vengeance not upon me—though he may give me a little trouble—but on the Province from which he comes, and of which he has been a representative in this House.

Mr. MITCHELL. This is not the first time that I have heard the bullying, and blustering, and overbearing conduct of the hon. gentleman.

Some hon. MEMBERS. Oh, oh.

Mr. MITCHELL. Yes, we may as well call a spade a spade. The hon. gentleman has got the wrong customer to
Mr. MITCHELL.

deal with when he attacks me in that way. I have done as much for New Brunswick as it has been in my power to do, and he cannot put on me that I am endeavoring to obstruct what is in their interest.

Sir CHARLES TUPPER. You are doing it now.

Mr. MITCHELL. I am not doing it now, and you are stating what is not strictly correct.

Some hon. MEMBERS. Order, order.

Mr. MITCHELL. How is that for order. You are stating what is not strictly correct. I say I can appeal to New Brunswick as you can appeal to Nova Scotia, that you have always looked after her interests, and looked after them well, and at the expense of the rest of the country. This very year, the hon. gentleman, by the great influence he has been able to impress the Government of the country with, has obtained for his Province a tariff which is purely a Nova Scotia tariff, at the expense of the Province I represent. He attacks me because I find that a port that I represent is omitted from the Estimate, which annually got a subsidy in former years when I supported the Administration. I do not oppose the vote, but I have the courage of my convictions to tell the Government of which he is a member that they are wrong. The hon. gentleman is in error if he charges that I am opposing the interests of New Brunswick. Sir, I am looking after the interests of New Brunswick. But what has that got to do with this question? He says I ought to be the last man not to know that there was a Furness line. I did know it, but it was my duty to have the particulars, and it is my duty to come down and give us the particulars—what service it is rendering the country, who owns the line, and who is going to get our money? That is the information the hon. gentleman should give us, and the information that I want to get. The hon. gentleman further charges against me that at this late hour of the evening I chose to obstruct, as he is pleased to call it, the public business of the country, because I wanted to know why a vote applicable to my county was cut out. I tell the hon. gentleman I do not obstruct it. I have sought information and I want information; I have a right to get information and I will get it if I can, notwithstanding that the hon. gentleman, from his high and exalted position, which he has attained by the aid of men who sit around him, and by the aid of myself among them, tries to put me down; and if he thinks he can do that he has waked up the wrong passenger. I do not alone oppose this vote because a vote has been cut out of my county, but I think we have a right to get information which we have not got.

Sir CHARLES TUPPER. I have given the hon. gentleman the information. I told him that the Furness line of steamers, which have been carrying on communication for years between St. John and Halifax and Liverpool—

Mr. MITCHELL. How many are there?

Sir CHARLES TUPPER. Enough to perform the service very efficiently.

Mr. MITCHELL. Well, we ought to know about it, and we have no right to be bullied, and overpowered, and brow-beat because the hon. gentleman happens to occupy a distinguished and exalted position in this country.

Mr. LOVITT. I have asked what kind of goods these steamers take from St. John? I want the information, so I would ask the hon. member for St. John; perhaps he can give it.

An hon. MEMBER. Deals.

Mr. KENNY. I do not want the Committee to adjourn under any such impression. These vessels carry a large amount of grain from Halifax. I cannot give the figures, because I do not deal in figures unless I have them correct—

ly. But I did not expect that there would be any hostility or objection to such a vote as this, and, therefore, I did not obtain the information, but I know that they carry grain, and that the trade is developing rapidly.

Mr. WELDON (St. John). I believe that two of the steamers run between Halifax and St. John. In one respect they are a great convenience in bringing London goods to Halifax and St. John. In going back they carry the ordinary cargoes, taking the best trade they can get.

Mr. MITCHELL. It looks very much as if this Administration should take the hon. member for St. John (Mr. Weldon) into the Cabinet, because he is the only man who can give us any information on these votes.

Subsidy to steamer between Campbellton and Gaspé, \$12,500

Mr. MITCHELL. Can the hon. gentleman give us any information about that steamer?

Sir CHARLES TUPPER. The information is contained in the item.

Mr. MITCHELL. There is mighty little contained in the item except that the money is voted.

Sir CHARLES TUPPER. It is voted year after year.

For steam communication from Port Mulgrave, at the terminus of the Eastern Extension Railway to East Bay, Cape Breton. \$6,000

Mr. MITCHELL. I would like to know where East Bay is?

Sir CHARLES TUPPER. You had better read the item.

Mr. MITCHELL. I think the least you could do is to answer me civilly and give me the information.

Sir CHARLES TUPPER. I beg to inform the hon. member for Northumberland that Cape Breton is an island lying near Nova Scotia and separated from it by the Strait of Canso.

Mr. MITCHELL. We know that on a celebrated historical occasion there was a great deal of goose cackling, and hon. gentlemen's clapping of hands may lead to the same thing. But the hon. gentleman, in informing me that Cape Breton is an island is giving me fiddler's news. What I asked was where East Bay was?

Sir CHARLES TUPPER. After passing through the canal you come to Sydney, and then you come to East Bay.

Mr. MITCHELL. If the hon. gentleman had given me that information in a civil manner, as it is his duty to do, he would have got on faster.

For steam communication from Halifax to Murray Harbor and Charlottetown. \$3,000

Mr. WELSH. I am very sorry there has been any hard words about this matter. I do not speak of this as a party question at all; I spoke of it in the interest of the country, and I think I spoke reasonably enough when I said the Government were giving money away to injure our own industries. I abstained from speaking on any one of the votes belonging to any other part of the Dominion than Prince Edward Island. I want the Minister of Finance to look at this. The Government say that their policy will make all the Government railroads pay—the Intercolonial Railway, the railway from Halifax to Pictou and the Prince Edward Island Railway. They have a railroad on Prince Edward Island. They carry their freights at low rates by those railways, and by their through rates they can get them carried by any sailing vessel or by any other means of carriage. Yet the Government are absolutely injuring themselves by subsidising a line by water from Halifax to

Charlottetown, to oppose their railway communication. Here is a steamer running from Halifax to Charlottetown to carry freight in opposition to the Government railroad. I call the attention of the Government to this.

Sir CHARLES TUPPER. I will make a note of it, and see if the item cannot be struck out next year.

Mr. DAVIES. Will the hon. gentleman also take a note of the necessity for having the vessel inspected. The vessel's name is the *M. A. Starn*. She will be the coffin of some people before long.

Mr. KENNY. I regret that no provision has been made for the subsidising of a line of steamers for carrying mails, passengers, and freight between Halifax and the West Indies. The Finance Minister will remember that for the last thirty years we have had a line of steamers plying between Halifax, Bermuda and the West Indies. Unfortunately for Halifax and the trade of Nova Scotia, these steamers were withdrawn about twelve months ago, and recently the Dominion Government advertised for tenders for this service. I am informed that tenders were received, and I expected that some provision would have been made for that service in the Estimates this year. I regret no such provision has been made, and I am sure the disappointment I feel will be experienced by my constituents, and, especially, the people of Halifax. This is not simply a local or a sectional question, but one which concerns the trade of the whole Dominion. I admit the hardy fishermen of Nova Scotia are more interested in it than any other class of our community. At the same time, I press the matter on the consideration of the Government, not from a local or sectional standpoint, but because I believe such a line would be of advantage to the whole country.

Mr. CAMPBELL (Kent). I am glad the hon. member for Halifax (Mr. Kenny) has brought this matter up and pressed it on the attention of the Government. It was a great omission on the part of the Government not to have brought down in the Estimates a subsidy for a line of steamers from Halifax to the West India Islands. The trade we might have between Canada and the West Indies is shown in the very interesting report presented to this House by Mr. Wylde, the commissioner appointed by the Government. It shows that the trade which would grow up between Canada and the West Indies, if there were a regular line of steamers, would be simply tremendous. The immense quantity of flour, wheat, pork, and fish which they use are the very things we have to sell, and the reason this trade has not grown up is simply that there has been no regular line of steamers between these points. It is folly to talk of subsidising a line of steamers running between Canada and the old country, France, England or Germany, when there is an immense quantity of boats now that are anxiously waiting for grain cargoes, and the moment a man has a quantity ready to ship, there are a dozen vessels ready to charter, at very low rates, and it seems wrong to subsidise steamers to carry such produce as that. I hope this matter between Canada and the West Indies is one the Government will take up, as it is very important, and instead of granting nearly \$200,000 to subsidising steamers running here and there, we should encourage our West Indies trade, the most important of all.

Mr. JONES. When my colleague speaks on matters connected with the trade of the country with which he is familiar, his opinions, outside of this House as well as inside, are received with every respect; but when the hon. gentleman speaks on a subject with which he is not familiar, then shall I endeavor to show upon what grounds I differ with the conclusions at which he arrives. He has said that the citizens of Halifax would be much disappointed if the Government would not bring down a subsidy for a mail steamer,

The hon. gentleman is in no way connected, directly or indirectly, with that business, and if he had desired to place information fairly before the House, he should have informed them that every merchant in the trade in Nova Scotia has signed documents to the Government remonstrating against any appropriations for such purpose. The hon. gentleman should have informed this House that, for a certain time, there was a steamer running to the Island of Jamaica but those who were familiar with the trade found the result of that steamer interfering with the trade was just this: that carrying perishable articles like fish, which is our chief article of export, it had the effect of keeping down the price of fish always in the West India market; that is to say, in a market like Porto Rico, where we ship 150,000 to 160,000 quintals of fish a year, a steamer would require to take about 8,000 or 9,000 quintals of fish every trip, of two trips per month. The hon. gentleman is not aware, and he cannot be expected to be aware, of the fact that the arrival of such a quantity of fish, which is necessarily an article of a perishable character, in the West Indies, would cause the price to go down at least \$1 a quintal, but my hon. friends who, like myself, have been engaged in that trade for the last forty years, are aware of that fact. I say deliberately that, if the Government had desired to inflict a blow on the fishing interests of Nova Scotia, they could not more decidedly injure that great industry than by establishing a line of steamers to take out their products in that way. We shipped about 750,000 quintals of fish to the West Indies during the year. We have the whole control of that market now. We have no competitors now. We have none from the United States. We only have competitors from the Island of Newfoundland. So, at present, it may be observed that that trade is fully and thoroughly developed. There were 410 clearances from the Province of Nova Scotia for the last year, up to the time at which I left home. Those were in small quantities, and were distributed over the various islands, were distributed to suit the wants of the different islands. It is a trade which has grown up, and the islands have grown familiar with it; three or four or five cargoes may go to one island and be distributed at different ports without sensibly affecting the prices, but, if all those were to go to one port, the result would be to lower the price, as I have indicated, a dollar a quintal. Not only has it the effect of lowering the price, but of keeping it down, because, no matter what the condition of the market may be, when the steamers are known to be close at hand, if the market is bare, the people will not purchase because they will say that the steamer will arrive in a few days, and that will prevent a rise in the market. Thus the price cannot advance, but at present, with the element of uncertainty which is necessarily connected with an enterprise of that kind carried on by sailing vessels, the moment the market is bare, the fact is cabled to Halifax, to Lunenburg and to Lockeport, and there arises a competition for our fish, and these people who buy it have to pay a higher price for it. This is not a new question. It has been discussed in Halifax for some time, and it has been discussed by people who were not in any way interested in the trade itself. It is only outsiders who were interested in getting steamers subsidised, who have been about this House for some time lobbying, in order to get a subsidy for their steamers, but there is not a merchant in Halifax who has been in business for forty years, as I have, who will not condemn the appropriation. The hon. gentleman could get a petition signed for any purpose the Government chose, but it would be a misappropriation of Government money, notwithstanding that. I was told in Halifax some time ago that some years before I had voted for an appropriation to assist in building up this trade. At that time the Cunard boat was running to St. Thomas and Bermuda. We had no intercourse with them, and were not aware of the injurious effects of a steamer running with a large cargo. Subsequently,

Mr. JONES.

it was changed to Jamaica, and at that moment we found the injurious effect of the whole thing, because it reduced the price of fish in the West Indies, and, therefore, in our own markets. Therefore, we were glad when the subsidy was withdrawn by the British Government. The hon. gentleman behind me referred to a commissioner who was recently sent to the West Indies to obtain information regarding that trade. If that hon. gentleman had been aware of the nature of that report, we would have placed very little reliance in it. Will the House believe that in that report, in regard to the business with which the hon. gentleman is connected, the flour business, they say that their flour could not be introduced, because in the West Indies they will not have northern flour; they have always taken it from New York where it has been made out of southern wheat, from an old idea, I do not know whether it is right or wrong, that flour should be made from wheat raised in a southern country. But would the hon. gentleman believe that that report, upon which no doubt he has based his calculation, with reference to the value of his own article in the West Indies, is based altogether on false premises.

Mr. KENNY. I do not know that.

Mr. JONES. The hon. gentleman who stands up here as the pretended representative of that class is not in a position to represent that class, and I say, with all deference, that he really does not know what he has been talking about. Is he aware of the currency which prevails in those islands? Is he aware that, when they gave him sales from Porto Rico, they had to allow 22 per cent. discount? Was he aware that when he was reading those reports of the sales in Cuba, it was necessary to take from 10 to 15 per cent. off? There was not a single point in that report of Mr. Wyld that would give a correct statement of the value of the article at that place. I did not intend to go into this subject at this length, and only desired to answer my hon. friend who seems called upon to-night to champion a trade in which he is not at all interested. If I were to bring before the House of Commons anything connected with the dry goods, my hon. friend, as a leading merchant, would doubtless inform me that I knew very little about it, and he would be quite correct. If I were to lecture the hon. gentleman in reference to a business with which he has been connected all his life, he would question me, and I should not be able to give an answer. This question was brought before the Board of Trade in Halifax, and a gentleman proposed that the Government should be asked to give a subsidy, but he could not get a seconder for his resolution; but since I left there a short time ago, they had another meeting called without any information being given—

Mr. KENNY. Oh.

Mr. JONES. I say yes—without any information being given to the public, and at that meeting only one merchant interested in the trade was present. It was principally composed of brokers, and men who were not representative men in any capacity. There were not over four or five men at that meeting whose opinions were worth anything in a matter of this kind, and these men passed a resolution calling upon the Government to give a subsidy. As I knew all these gentlemen intimately, and knew the motives which influenced them, I was satisfied they were not even representative men, like my hon. colleague, who was a leading merchant in the county. They were not merchants at all, and were in no way interested in foreign trade. There is another way in which this would be an injury to fishing vessels engaged in the West Indies trade. The moment the fish are caught they are brought to the shore and made during the rest of the season. Then those vessels turn around with their captains, crews, and the amount invested in this industry, and they go into the West Indian trade for the rest of

the year. These men are employed in carrying out a business which they themselves have created, and the hon. gentleman wants to wipe their trade all out by putting on the steamers. Then these vessels bring back cargoes of salt, which is the one great article of necessity for the fishing interest. Now, if they did not bring back this salt as a return cargo, without any expense to the owner of the vessels, what would be the result? Why, they might, and I dare say my hon. friend has that in view, be compelled to bring back salt at a high rate of freight to Halifax, and the fishermen would have to pay 50 per cent. more for their salt. My hon. friend from Lunenburg (Mr. Eisenhauer) who is engaged in that trade, perhaps, to a larger extent than almost any other man in Nova Scotia, will bear me out in that view. It would be a fatal blow to everything connected with that great industry. Then again our fishermen require to consume a large quantity of molasses. How is that going to be brought back from the West Indies? The hon. gentleman is not familiar enough with the trade to be able to know that molasses is not brought back from the West Indies in these steamers; they cannot put a number of tiers, one on top of another in the hold, because the bottom tier would give out before they reached home, and a large quantity of the molasses would be destroyed. But they are brought back in small quantities, two or three hundred puncheons at a time, and in that way a fair exchange is made, and business is kept up, and is being constantly developed. And the hon. gentleman now asks Parliament to take the public money, to which the ship-owners and the fishermen of the Maritime Provinces contribute a portion, and run a rival line of steamers against an interest in which we ourselves are concerned. It only arises from the hon. gentleman's want of information on the subject. He may have that smattering of information which I may have of the dry goods business, but it will be nothing more than a superficial knowledge after all. It is just that knowledge that any man may pick up of a business without being familiar with its details. I say these articles are necessarily of a perishable nature. A few years ago the town of Annapolis made great efforts to send their apples to the London market in large quantities by steamer. On one occasion they sent a cargo of 10,000 to 15,000 barrels to the London market, the largest market in the world, and what was the result? The result was, that such a large quantity of a perishable article arriving there at once, had the effect of putting down the price two or three shillings a barrel; the farmers and fruit growers of the western part of Nova Scotia came to the conclusion that it was better for them to send their apples down to Halifax and ship them by the Furness line, by the Anchor line, by the Dominion or the Allan line, sending on two, or three, or four thousand barrels a week, and distributing them in different ports. Therefore, this shipment, with the exception, I believe, of one or two cargoes of 8,000 or 9,000 barrels, has been carried from Annapolis since then, for the most part in small quantities, just as we distribute our fish through the West Indies. A vessel goes to one port, and, if it does not suit her to sell there, she goes on to another port or island. But a steamer going to one port must land there, because she cannot visit one after another. The ports of the island are too small, and the steamer cannot reach them, and, consequently, the expense that would fall upon the removal of these cargoes from one port to another, would fall on the value of the fish itself. Of course, I pardon the hon. gentleman, because it arises entirely from his want of information on the subject, but he will see, in a matter of so much importance, that this is a peculiarity of the trade which can only be thoroughly understood by those who have been long in that business, and the hon. gentleman will see that if the Government were to step in, and, by a subsidy, put a line of steamers between Nova Scotia and the West Indies, they would be inflicting a fatal

blow upon the large fishing industry of the Lower Provinces. They tried it once before with some other steamers. They tried it to Brazil and it failed. They ran just as long as they had a subsidy, but when that failed the steamer could not run, because there was no return cargo. These steamers go from New York, as the hon. gentleman mentioned, and they take cargoes of goods, carry them all through the different islands down to St. Domingo, and there they take them out at a much lower rate because they can get the articles cheaper. It would cost as much to send the flour of my hon. friend to Halifax, as it would to send a barrel from New York to the West Indies. Therefore, a steamer would have to carry that flour for nothing from Halifax to the West Indies, to be in the same position that it would be in carrying it from New York to the West Indies. Therefore, my hon. friend will see there is an insuperable objection against a line of steamers such as he proposes. If the Government were disposed to give a subsidy large enough to pay all the expenses, then a steamer could run. The hon. gentleman is not aware, perhaps, that return cargoes, are only procured in certain ports of the West Indies. Vessels that go from New York go to the large ports, Havana or Kingston, and bring back a cargo composed of everything that is produced in a tropical country. Everything that is produced in a tropical country finds a market in the United States. They send there rum, logwood, pimento, coffee and sugar, and beyond all other things their fruit. Cargo after cargo of fruit is shipped from the West Indies to the United States. It is nothing uncommon to see half a dozen cargoes of bananas, fifteen or twenty thousand bunches each, arrive in New York in one day. What would be the result of five thousand or two thousand bunches arriving in Halifax? They would be thrown over the wharf in one week, for they would spoil. Unfortunately, it is one of the peculiarities of our position, that we have no market for the products of the tropics—only a market for their sugar when it can be obtained there, and that is only during a certain portion of the year. The steamers will, therefore, have to depend entirely upon the subsidy which the Government give them, and not on any legitimate business either one way or the other. While they will be an injury to every industry, they will take from the taxpayers of the country that subsidy which will alone maintain them. Therefore, I for one, and every West India merchant in Nova Scotia, the men who have developed that trade, the men who understand that trade, who have been in that business for forty or fifty years, the men who supply the fishermen—the fishermen and everything connected with that great interest, which is the greatest we have to rely upon, will rejoice indeed to know that the Government have not made an appropriation for what I will call an unnecessary object.

Mr. KENNY. This is a great night for Halifax. The astounding announcement has been made by the senior member for Halifax that all the world is laboring under some great delusion, that it is absurd to suppose that steam is any longer to be the motive power by sea, and he has made this announcement in the Parliament of Canada in solemn conclave assembled. So says the senior member for Halifax, because he has told us that the West India trade, and if he desired to be logical he must apply his argument to every branch of our commerce, cannot be carried on by steam. How is it to be carried on? Is it to be carried on by vessels propelled by electricity, or by some new motive power never heard of? No, but by schooners and brigantines in the good old fashioned way of fifty or a hundred years ago, the same as was used by our grandfathers and great-grandfathers. We know that the British people are quite contented to pay a line of steamers to transport their mails, passengers and freight to the West Indies. We know, at

least I believe, that France subsidises a line of steamers from that country to the West Indies. We know there are several lines plying from the ports of the United States to the West Indies, doing a large and increasing trade.

Mr. JONES. Without any subsidy.

Mr. KENNY. Without any subsidy to-day, although they had a subsidy when they started.

Mr. JONES. Never.

Mr. KENNY. Some of them had. The trade is done by steamers; yet it is reserved for the senior member for Halifax to tell all those people and all those nations that it is all folly, that they are laboring under a great delusion; and, therefore, I think so wonderful a discovery warrants me in saying that this is a great night for Halifax. My hon. friend says that I am not interested in the business, because I do not happen to be a West India merchant. I tell him that I am interested in every branch of commerce in which my fellow-citizens are interested, and I do not pretend to say that my criticism of commerce is limited to one branch in which I happen to be personally engaged. The hon. gentleman has truly said, in his reply to some remarks made on this side of the House that the West India business is a very important business. Its importance was recognised by the Provinces of Canada even before Confederation in 1866. But in looking at this question of steam communication between Canada and the West Indies historically, I find one of the most interesting episodes of it is to be found in *Hansard* of 1876, when this question about trade relations—mind you, our steam relations—was brought to the notice of this House at that time.

Mr. JONES. I gave you that.

The CHAIRMAN. The hon. gentleman was not interrupted during his observations, and I hope he will not interrupt.

Mr. KENNY. Allow me to give it to the Committee. Hon. gentleman will hardly believe when I read this speech, and after listening to the speech which the hon. gentleman has to-night addressed to the committee, that the Mr. Jones who spoke in 1876 is the same gentleman who spoke to-night. The hon. gentleman was then pleased to say:

"I am very glad that the resolution of my hon. friend from South Waterloo has elicited such favorable opinions from the hon. members of this House."

I must explain that the resolution of the hon. member for South Waterloo was in favor of steam communication between Canada and the West Indies. Mr. Jones continued:

"It is a question in which the people of the Maritime Provinces are not alone interested, but the people of the whole Dominion."

That is a statesmanlike view of it—

"I am satisfied myself that at the present moment there is no question which so much interests the manufactures of the Dominion, as the establishment of a large and continuous trade with the West Indies, British and foreign. I am persuaded that we have many articles in Canada for which the people of the west would be good customers; such as beef, pork, flour, lumber and other such produce. If we desire to build up trade between the two countries, it must be by the exchange of such produce with such West Indian products as can be utilised here either for manufacture or direct consumption."

The hon. gentleman then refers to the sugar duty. He says:

"There is nothing at the present time which so much tends to hinder a satisfactory or successful line of commerce between the tropics and the Dominion, as the unsatisfactory position of the sugar duties. Until they are adjusted or placed on a basis that will more fairly represent the value of the raw material, as compared with that of the refined article, it is out of the question that any line of trade can be successfully undertaken. The House must understand that it is only for a very short time that returns can be obtained from the West Indies, and it is, therefore, of the greatest possible importance that, during the six or seven months, we should have such a demand in our market for the raw material from the West Indies as would furnish traffic between the two countries. We have plenty of produce to supply them and build up a satisfactory trade with them, if the sugar duties were adjusted on a proper basis, so that we could bring back that article as return cargo."

Mr. KENNY.

Which they are doing to-day—

"With regard to our communication with the islands at present, my hon. friend fell into a mistake when he said it was not well conducted; it is done by the Cunard line, and everybody knows the Cunard line is very well managed. Of course there are other channels for communication with the West Indies—besides cable communication—but I do not look upon this question so much from a mail point of view as from a trade standpoint. I believe at the present moment, when the manufacturers of the Dominion are looking for customers for the articles which they produce, nothing would so much tend to relieve them as foreign trade; and if we can successfully establish such a trade with a country like the West Indies, and bring back a return trade, it is our best policy."

When hon. gentlemen contrast these utterances of 1876 with the utterances with which the senior member for Halifax (Mr. Jones) has been pleased to favor the House during the present Session, they will hardly recognise that it is the same gentleman. In fact, I should find it difficult to understand the difference myself if the hon. gentleman had not given me an explanation. He has been pleased to say in the speech which I quoted on a previous occasion, that he occupies a disagreeable position in this House, and I presume it is difficult for him, with all his abilities, to make an agreeable speech so long as he occupies a disagreeable position in this House. It may be due to the different experience which the hon. gentleman has had in addressing the House from that side or from this; that is for him to explain. Now, the hon. gentleman has been pleased to refer, in very complimentary terms, to the way in which the Cunard service was performed. Hon. gentlemen will remember that the whole discussion was with reference to the steam service between the West Indies and Canada, and I have, for the information the House, to call their attention at a very remarkable document which appeared in Halifax newspapers only a few months ago, and which was sent from Halifax and addressed to the Lords of the Admiralty. Its existence was not known, and its discovery was—I cannot say exactly accidental—but rather remarkable. It was addressed to the right hon. the Lords of the Admiralty, and it reads as follows:—

"To the Right Honorables the Lords of the Admiralty:

"MAY IT PLEASE YOUR LORDSHIPS:

"We, the undersigned merchants, ship-owners and other inhabitants of the city of Halifax and Nova Scotia, fearing the possibility of any renewal of the lately expired contract"—

The very contract of which he spoke so favorably in 1876—

"for the conveyance of the monthly mails between the city and the Island of Jamaica by steamer *via* Bermuda, respectfully beg to draw your attention to the following facts:

"That there now exists opportunities for postal steamer communication with Jamaica by way of the United States"—

Mr. HESSON. He is going that way every day.

Mr. KENNY—

"at least twice a week, and within nine days; and that to pay for an additional monthly communication of this nature, is of no possible convenience whatever.

"That any subsidy so paid is nothing less than a subsidy in another form for merchandise traffic; and, by heavily handicapping legitimate traders, is a serious interference with private enterprises.

"That your petitioners have large amounts invested in the carrying trade between the two countries, which has been most injuriously affected by undue competition with a subsidised company; and they, therefore, pray that your lordships will not sanction the renewal of the recently expired contract, or the making of a new one.

"And, as in duty bound, your petitioners will ever pray."

Now let us examine this document a minute. The hon. gentleman says that we must not have steam communication between Canada and the West Indies, because we can send our mails by way of the United States. Now suppose any member of the Imperial Parliament were to get up in his place and oppose a subsidy to the West Indian Royal Mail line, on the plea that the mails could be sent by way of the United States, or any other foreign country, what influence or effect would such an argument have in the Imperial Parliament? It would have none, and I imagine that such an

argument will have very little effect here. Does my hon. friend not know that the passengers and freight would follow the mails, and that, consequently, our whole trade would pass to a foreign country?

Mr. HESSON. That is where he wants it to go.

Mr. KENNY. Now, Sir, according to this document we must not have a line of steamers, because they would interfere with the merchandise traffic, and heavily handicap legitimate traders. I wish the House to remember that these steamers were built by Mr. William Cunard, especially for that trade. They were legitimate traders, they enjoyed a subsidy for thirty years, and still the hon. gentleman does not hesitate to handicap Mr. Cunard, by using such influence as he could bring to bear on the Imperial Government, to prevent the renewal of the subsidy to the Cunard line of steamers. I regret to say that the petition was successful, and that the steamers are now idle in Halifax. I do not say that that fact is solely due to that petition, but I say that that was the prayer of the petition, and that the steamers are now idle.

Mr. TAYLOR. Who signed the petition?

Mr. KENNY. As regards the petition itself, the hon. senior member for Halifax, if he were so disposed, could give us the history of it. It was signed by gentlemen in the West India trade, in Halifax and other parts of Nova Scotia, and forwarded to London. I may say that I was asked to sign that petition, but I refused to do so on the ground that I might, with as much propriety or justice, have petitioned this Legislature to withdraw the subsidy from the transatlantic line of mail steamers, because those mail steamers subsidised between Canada and Europe carried freight, and thus interfered with my sailing ships. Now, such an argument as that would, I think, be considered a very selfish argument, and would not have very much influence here. In fact, my hon. friend knows that we are competing with other nations that conduct their business by steam; he knows that our greatest rivals in the trade are the Americans, and that our trade is actually drifting by way of New York. In 1876, when he addressed us, he seemed to have a great deal of sympathy with the manufacturers of Canada. He told us that there were many products that we could export from this country, and the hon. member for Kent has forcibly brought that matter under our notice this evening. Is not the manufacturing power of this country ten times greater to-day—I think I am within the limit—ten times greater to-day than it was in 1876? If that is the case, our export trade is of infinitely more consequence now than in 1876, and, as I said this afternoon, nothing is more important than that we should exercise every ingenuity, and consider carefully every scheme, and obtain every help we can from the Government to develop our export trade. How are we to benefit our Canadian fishermen, and manufacturers, and merchants, and compete in the West India markets with Americans who carry their goods by steamers, unless we, too, have steamers? We all know that to-day, to ensure commercial success, regularity and expedition are most important, and that regularity and expedition can only be attained by the use of steam. It would really seem as if my hon. friend had very much changed his opinion since he spoke in this House in 1876, when he was so careful of the manufacturers of this Dominion. He does not seem to have the same regard for them to-day as he had in those days. He said that, possibly, I might be influenced by the fact that my larger ships would be able to carry more salt from the West Indies if the steamers were put on. Suppose I were to say to him, in reply to a remark like that, that if I am influenced by my large ships, he may be influenced by his small vessels, and that his sole desire may be to help his small vessels. It does not matter who suffers—whether Mr. Cunard, who has

more invested in those steamers than my hon. friend has in sailing vessels, and who is entitled to equal consideration, may suffer. It does not matter who may suffer or how much they may suffer, so long as my hon. friend's schooners do not suffer. That would be about the style of his argument. My hon. friend says that steamers cannot reach the West India market from Halifax. Well, if steamers can reach the West India markets from the United States, I do not see why they cannot reach them from Halifax.

Mr. JONES. I did not say anything of the kind.

Mr. KENNY. I took down my hon. friend's words—steamers cannot reach the West India markets from Halifax.

Mr. JONES. I do not know what you took down, but I did not say anything of the kind.

Mr. KENNY. I wish to be accurate; I do not wish to misrepresent what my hon. friend said, but I understood him to say that the West India trade could not be conducted from Halifax by steamers.

Mr. JONES. Yes.

Mr. KENNY. Well, is it not very strange that the West India trade can be conducted from New York by steamers, and yet it cannot be conducted from Halifax by steamers? The hon. gentleman says we cannot carry our flour to the West Indies, because our flour is not suitable. That is a matter of much interest, and I had an opportunity of meeting recently one of the largest millers in this country, who told me he had shipped a large amount of flour to the Bermudas, and that he could compete successfully there with the American millers. If our millers can compete with the American millers successfully there, I do not see why they cannot do the same in the West Indies market; and I believe they have energy and enterprise sufficient to gain a portion of that trade. Now, the hon. gentleman says that the West India trade must be conducted by sailing vessels, because it has been conducted in that way for so many years. We all remember when the trade of our great inland rivers and lakes was conducted by sailing vessels; but is that any reason why we should go back to that system to-day? Our coasting trade is conducted by steamers. We are subsidising steamers to go in every direction; and why do we do so? To extend our trade; for if we do not extend it, we shall lose the trade we have, because we are competing with other people who are using steam. On land we will not go back to the old stage coach, notwithstanding the romance connected with that mode of travel. Neither are we prepared to go back to the sailing ships at sea. In fact, I contend that we must have steam if we hope to compete successfully with other nations who carry on business by means of steamers, and even with steamers we shall have a very keen competition for the West India business. We must be prepared, not only to meet it with articles suitable for those markets, but we must be prepared to keep them supplied regularly with our goods; and that regularity can only be obtained by the use of steam. It must be self-evident that sailing vessels to-day cannot compete with steamers, and I say it very regretfully, because I am as much interested in sailing ships as almost any person in the Maritime Provinces. If my hon. friend advocated a line of steamers in 1876, I say every reason that existed in 1876 exists in 1887 as regards our manufacturers, with still greater force. Therefore, if it was in the interest of the public to subsidise a line of steamers in 1876, it is equally or more so in 1887. Therefore, I say that the senior member for Halifax must have been all right in 1876 and all wrong in 1887. My hon. friend has been pleased to refer, in not very complimentary terms, to what I consider a very valuable report of the commissioner who was sent to the West Indies—a report which I will not at this late hour take up the time of the House by referring to at

any great length, or by giving any of the useful statistics it contains. But it is a very useful document, and if hon. gentlemen have not had time to read it, I would advise them to do so at an early date. The fact alone that the United States export something like 1,500,000 barrels of flour to countries south of them, warrants us in saying that there is a large development there for our products. As my hon. friend said in 1876, we have ample products to supply them. All we want are the facilities for intercourse, and those we can only have by means of steam. My hon. friend stated truly that the gentlemen who are engaged in the West India trade, and of whom I desire to speak with every respect, signed this document with him. That, of course, is true; but he must not tell us that nobody else has any knowledge of the resources or capabilities of Halifax or Nova Scotia. I contend that there are no people in Nova Scotia so much interested in the development of that steam trade as the fishermen of Nova Scotia, and it is especially in their interest that I urge it, as my hon. friend on the other side urged it in 1876, when he had the fishermen's interests so much at heart, when he was prepared to do so much for them, which he is not ready to do to-day. After my hon. friend has advocated steam, in 1876, then I am sure I am warranted in following the admirable example he then set. I say, it is in the interest of the Nova Scotia fishermen, that a line of steamers should be plying between Canada and the West Indies. I do not speak from a sectional standpoint on this subject, it is one in which all the country is interested. Our greatest rivals are the Americans, who conduct their business by steam; and unless we do the same we shall lose what remains to us of our West Indies business. I have a number of statistics which I have compiled, but I feel I have detained the House sufficiently already at this late hour of the sitting.

Mr. JONES. I do not wish to bring this question before the House at another stage, and, therefore, shall briefly reply to the hon. gentleman. If anything were required to show the truth of the position I took, I have it in the argument from the speech of the hon. gentleman. I stated he was dealing superficially with a question of which he had no practical knowledge. I spoke respectfully of his position as a merchant in his own line, and I stated that if I were to offer an opinion in any matter connected with the dry goods trade, that hon. gentleman would say I was speaking on a subject I knew, practically, nothing about. He referred to my speech delivered in 1876. I referred to that speech myself, and gave my reasons, but the hon. gentleman did not know that the whole condition of affairs has changed since then. Our manufactures were then comparatively cheap, but to-day we cannot send them to the West Indies to compete with the manufactures of England.

Mr. KENNY. Does the hon. gentleman say that cotton and woollen goods are dearer now than they were in 1876?

Mr. JONES. I tell the hon. gentleman that we have to compete with goods there, on which we have to put a duty of 35 to 40 per cent. to keep them out of our own market. With regard to the sugar duties, they have been so arranged that our West India trade is practically killed. The hon. gentleman should know, and he does know, if he would only give the information, that the consumption of the West India sugar has been falling off every year, and that our refineries, which used to consume 60 or 70 per cent. in the old days, now only use one-third, and the difference is due to the fact that we use beet-root sugar which is forced into our market by the high bounty system of Germany.

Mr. MITCHELL. And on these subsidised steamers too.

Mr. JONES. Yes, on these subsidised steamers. If they wish to benefit the West India trade, they would put a heavy duty on beet-root sugar. The hon. gentleman said he was satisfied with the Cunard line. The hon. gentleman did not

Mr. KENNY.

know, and he does not appear to know now, that the Cunard line ran only to Bermuda and St. Thomas, and not to the fish market at all; it did not in any way compete with us. The hon. gentleman is only displaying his ignorance again in speaking on a subject of which he knows nothing. He says the Americans are forcing our trade, and that they are our natural competitors. Again he displays his lamentable ignorance. I wonder he would stand up in this House, and venture to risk the high reputation which he properly enjoys in his own community, by expressing an opinion on a subject with which he is not at all familiar. We have no competitors in the West Indies for our fish trade; there is hardly a quintal of American fish sent there at all. I would invite the hon. gentleman to get some information to lay before the House, to which business men will pay some deference, before he proceeds again to discuss this question. The hon. gentleman asks what would be thought in England of allowing mails to go through a foreign country? What did the English Government do with regard to their mails to Bermuda? Did the English Government not discontinue the subsidy and send all their mails *via* New York to Bermuda? If England can send her important documents to Bermuda, connected with her military and naval depot there, surely the Dominion can allow its correspondence to go by the same route, but, perhaps, the hon. gentleman is not aware of that circumstance either. The hon. gentleman charges me with stating that the trade must be conducted in sailing vessels. I said it had been conducted by sailing vessels, and it must be conducted by sailing vessels to be successful. He referred to the petition which was sent to England on that subject, and said I could tell all about it. Well, I can tell this House that I signed it, and that every merchant in Nova Scotia connected with that great industry signed it. We sent to England and received this reply:

"I am directed by my Lords to acquaint you that my Lords have no intention of renewing the service in question."

Mr. KENNY. The petition was successful.

Mr. JONES. The treaty had expired, and the hon. gentleman in his anxiety to put me in a false position during the late political campaign, undertook to distribute, under cover with his own circular, a forged document.

Mr. KENNY. I did not.

Mr. JONES. I repeat, with the responsibility attached to a statement in this House, that the hon. gentleman distributed, throughout the late election campaign, with circulars signed by himself and his colleague, a forged document which I will read; and on the only opportunity I had of meeting my hon. friend during that campaign—for he took very good care to avoid meeting me, and I wished to avoid all quarrels, because we had been personal friends, and I desire to continue on friendly relations with him—was on one occasion when he met me, and I drew his attention to this forged circular. I appealed to him as an old friend, as a merchant in Halifax, as a man of high standing, to take the earliest opportunity of disavowing all complicity with such a foul, disgraceful transaction. I thought the hon. gentleman would have thanked me for having given him so early an opportunity of disavowing all complicity with such an outrageous proceeding, but so far was he under the control of his political friends, that he did not do himself that justice he was bound to do. It did not injure me, but I thought that if I had been in the hon. gentleman's position, if my committee had distributed a forged document with my circular, and my hon. friend had brought that to my notice, I would take the opportunity of saying that I entirely disapproved of such a transaction. The hon. gentleman, however, would not take such a course. Here is the document. The hon. gentleman read you to-night the

true document, but he did not read the forged document which he distributed with his own circular:—

“May it please your Lordships:—I, the undersigned merchant, ship-owner and inhabitant of the city of Halifax and Nova Scotia, fearing the possibility of any renewal of the expiring contract for the conveyance of the mails between this city and the British Isles by steamer.”

Now, remember, that, in the memo. which he read to you, the words were, “fearing the possibility of any renewal of the lately expired contract.” That was the memorial which we addressed to the British Government with reference to this subsidy, but the hon. gentleman, in his desire to put me in a false position, in conjunction with his friends altered this and put my name to it fearing the possibility of any renewal of the expiring contract.

“And they, therefore, pray that your Lordships will not sanction the renewal of the present expiring contract, or the making of a new one.”

I should never have brought this up had not the hon. gentleman taken the unfair means of attempting to misrepresent me before the House and the country. I have always fought him in a fair and open manner, and he will do me the justice to say that, during the campaign, I never descended to disseminate a forged document respecting him. I hold him as responsible for that as if he had written it himself, because, when it was brought home to him, when he did not expect me to be present, he did not express his disavowal of the position in which his friends had placed him, I hope without his knowledge, and I believe without his knowledge, for I do not believe for a moment that the hon. gentleman would have taken such a course as that. But the position which he took on this question was, as I stated from the commencement, a position in regard to a question about which he knew nothing. There are always people looking for Government subsidies, there are always some hangers-on who look for Government patronage or pap, in order to make a living. They cannot get a living any other way, and, looking at the community in Halifax which is connected with this large industry throughout Nova Scotia, I believe this country would accept the opinions deliberately given by every merchant interested in that trade in preference to an argument from the hon. gentleman who was never in the business, who was not an outfitter, or a purchaser, or a shipper, and was not connected directly or indirectly with any branch of the subject. I appeal to gentlemen who are here whether it is not probable and reasonable that the men who are brought up to the business, and are familiar with every branch of the subject, are more likely to understand it than the hon. gentleman, who knows nothing about it at all. He pretends to speak for the fishermen. What does he know about the fishermen? He was never brought into connection with them in his life, in their daily transactions, such as my hon. friends near me and myself and other West India merchants have been. I cannot say that I have been an outfitter, but I have been a purchaser all my life, and those who signed this document have been outfitting. Who is to be the best judge as to the fishermen, a man who has known nothing about the matter or men who are familiar with the market, have watched all the changes, and from day to day, and week to week, have purchased and forwarded the fish to the places where the consumption warranted it. It is an insult to common sense, and the hon. gentleman must not take such a liberty with reasonable men, and in this Parliament, to deliver his *ipse dixit*—

Mr. DENISON. I ask whether this debate is in order or not. It seems to be that it is not? I do not want to interrupt the hon. gentleman.

The CHAIRMAN. The language used may be a little strong.

Mr. DENISON. The question is whether we are discussing the Halifax election or not?

Mr. JONES. No one can regret these discussions more than I do. You will find that I have never been the aggressor in any discussion in this House, but when I am assailed, I feel it my duty to defend myself, and, when the hon. gentleman referred to a business that he knew I was connected with, felt bound to stand up as a representative merchant to defend myself and my friends in regard to that matter.

The CHAIRMAN. The motion is that I rise and report the resolution, and the observations are quite pertinent to that.

Mr. JONES. I felt compelled to defend myself in the mode in which I have to-night. I regret it the more because I have had to express strong language with regard to a gentleman with whom I have been intimately and socially connected all my life, and I think I have deserved more from that gentleman than the treatment I have received from him since we have been in this Parliament. I have never, directly or indirectly, made any reference to that gentleman except in a parliamentary sense. He has tried, on the other hand, to put me in a false position several times, and to-night he has crowned his action by a reference to the commercial interests of which I am a representative and he is not. If he claims to be a representative of the cotton interest of this country, I yield to him at once. I know nothing about it. If he claims to be the exponent of the dry goods business, I yield to my hon. friend at once. I know nothing about it. But he must not take such a liberty in my presence, or in the presence of merchants who surround me here to-night, as to imagine that he will be accepted as an authority on subjects in regard to which in his whole life he has had no training. It is not for the advantage of Parliament, or to the credit of the hon. gentleman himself, to attempt to mislead or influence public opinion upon a matter upon which he can have no reliable knowledge. I do not wish further to continue what to me has been a very unpleasant discussion. It is not of my seeking, and, so far as this matter is concerned, I stand up as a representative of the fishing interests of Nova Scotia, and I repeat that if the Government were to give a subsidy and a steamer were to run, it would be a loss of from \$300,000 to \$400,000 a year to the fishermen of Nova Scotia. The merchants would not lose it, but the fishermen would lose it, and they would be so much the worse in consequence of it. Does the hon. gentleman sympathise with the fishermen? What does he know about them? He has never been brought into contact with them in his business career, and on that ground, as well as on all the details of the measure to which I have briefly referred, the people of Nova Scotia, the fishermen, and the people of Halifax county, will not be disposed to accept the words of the hon. gentleman which have been spoken here to-night.

Mr. KENNY. On previous occasions the hon. senior member for Halifax has reminded me, as he has reminded the member for Pictou (Mr. Tupper), that we, as young members of the House, were not justified in questioning his statements, or the manner in which he referred to hon. gentlemen opposite to him. Now, I am disposed to pay all that deference to that hon. gentleman to which the important position he occupies in this House entitles him, but I would remind him that, if he imposes upon the position which his age entitles him to occupy, it would be well for him to acquire some of the virtues that become the aged and to be more careful in his statements, more accurate in his facts, and more charitable in his language. He has stated that I have been the aggressor in differences that have arisen between us in this House. Did the hon. gentleman imagine I was sent here never to contradict any statements he might make as regards my constituents, as regards—

Mr. MITCHELL. What is that you are saying? I would like to have the hon. gentleman repeat what he said.

Mr. BOWELL. I said nothing to you.

Mr. MITCHELL. I heard the hon. gentlemen use the term "blackguards."

Mr. BOWELL. I did not apply the word blackguard to the hon. gentleman nor to any one else.

Mr. MITCHELL. Did you utter the word blackguard?

Mr. BOWELL. I do not propose to be dictated to by you, nor by any one else. I will not answer you.

Sir CHARLES TUPPER. It is grossly unfair for the hon. gentleman to interrupt a discussion in this way.

The CHAIRMAN. Let the hon. gentleman from Halifax go on.

Mr. MITCHELL. Excuse me. I heard the word blackguard uttered, and I now ask the Minister of Customs whether he uttered it or not. If he says he did not, I accept his statement; if he says he did, let him tell to whom he applied it.

Mr. BOWELL. I did not say it to you, nor did I say it to any other hon. gentleman; and I do not propose to be bull ragged by you.

The CHAIRMAN. I would just say that if the hon. gentleman heard it, he overheard it. I think it was not addressed to anybody, but it was a mere interjection of his own to himself, not addressed to anybody. I heard the remark, but it was not addressed to anybody.

Mr. MITCHELL. I rise to a question of order. Did you hear the term blackguard uttered by the hon. gentleman? I put it to you as Chairman, now?

The CHAIRMAN. Whatever I may have heard was not addressed to any person in this Chamber, I believe.

Mr. MITCHELL. I am asking to whom it was addressed.

The CHAIRMAN. I think this thing has gone far enough.

Mr. MITCHELL. I am not going to be put down unfairly. I say I heard the word blackguard uttered by the Minister of Customs. I want to know to whom he applied it.

The CHAIRMAN. The hon. gentleman will proceed with his speech.

Mr. MITCHELL. Mr. Chairman, I call for a decision in this matter.

Sir CHARLES TUPPER. You will hear some other word uttered directly, if you do not obey the Chair.

Mr. MITCHELL. I am not afraid of you, anyway, not a bit of it. None of your bullying or threatening will put me down now. I want you to understand that.

The CHAIRMAN. The hon. member for Halifax has the floor.

Mr. KENNY. I must ask the hon. member for Northumberland to allow me to go on. I do not wish to delay the House. This controversy has assumed a personal turn, which is very much to be regretted indeed. My hon. friend the senior member for Halifax, has said that I have been the aggressor in any differences which have occurred between us since I entered this House. Now, Sir, I say that is not the case. I never spoke in this House until I had to reply to some challenge which the hon. member had made as regards the elections in Halifax, and the position which I occupy here; and those are almost the only occasions on which I trespassed on the time of this House. I felt when I came here, inexperienced as I was in public matters, bounced so suddenly upon the political stage as I had been, that it would ill-become me to force myself upon the notice of this House. And when the hon. gentleman got up here,

Mr. KENNY.

and, relying upon his knowledge of parliamentary form, and upon the position which he occupies in this House, aspersed my position and the circumstances under which I was sent here, I felt that, as a man, I was bound to make my statement of the facts before the House, that it was due, not only to myself but to my constituents, to the citizens of Halifax, for I am proud to say that although the hon. gentleman polled 60 more votes than I did in the constituency we represent, yet in the city of Halifax, the metropolis of our Province, I polled more votes than he did, although I was almost an entire stranger, politically, to the people of that constituency.

Mr. JONES. Railway votes.

An hon. MEMBER. Civil servants.

The CHAIRMAN. Mr. Jones was not interrupted in his observations, I hope no other interruptions will be thrown across the House.

Mr. KENNY. Am I not right, have I not the liberty as a member of this House, as a business man, to speak to any matter in which my fellow-citizens and the people of Nova Scotia are especially interested? Why, Sir, I should never have come here if my tongue was to be tied, because in expressing my opinions my views might conflict with the views of any other hon. gentleman in this House. Therefore, I have not one word to retract that I have said in reference to the West India trade of Halifax. I believe that while I may not represent the wishes and the views of gentlemen who are engaged personally in the trade, I believe that I represent the interests of the fishermen of Nova Scotia, and a majority of the people of that Province. Now, the hon. gentleman says that I distributed with our election circular, a document which he was pleased to call a fraud—

Mr. JONES. That is true.

An hon. MEMBER. A forgery.

Mr. KENNY—or a forgery, and subsequently in his remarks he stated that my friends had placed the document in these envelopes, and he subsequently said that he thought I knew nothing about it.

Mr. JONES. Yes, I hope so, most undoubtedly.

Mr. KENNY. As regards the first statement, it is entirely inaccurate. I wish to give it such a parliamentary denial as is possible for me to give; because my desire is here not only to adhere to the rules of this House, but to the courtesies of debate, and I give the most positive and emphatic denial that it is possible for one man to give to the statement of another. Now, Sir, in regard to the circumstances under which that document was first brought to my notice. The senior member for Halifax produced from an envelope the document to which he has referred. I never saw it until he produced the circular signed by Mr. Stairs, my colleague in the candidature, and myself. I told the hon. gentleman then what I had stated when I first went into the contest, that I would be responsible for what I uttered, and for what was written over my own signature, and for that only. That was the answer I gave him, and I told him then that I was responsible for the circular which bore my own signature, and I refused to be responsible for anything else. It may have suited anybody on the other side to place these two documents in one envelope and try to do me an injury. It is a strange thing that, in my subsequent enquiries, I found there were few such envelopes in the city of Halifax. Now, I wish to give that statement of the senior member for Halifax, in my own untutored way, my own inexperienced way, as far as parliamentary etiquette will allow, I wish to give it the most emphatic and positive denial. The hon. gentleman, when he made that statement here to-night, had previously met my denial of it. Why, Sir, he accuses me of being the aggressor in any differences that may have arisen

between us here. I appeal to the first word I uttered in this House if I did not then express the desire I entertained, and which I have always entertained, and I stated then to the House, that in the Province from which I came we never allowed political differences to interfere with personal relations. I stated that in the House, and yet the hon. gentleman rose here and accused me, a young member, unknown in this House, that I had introduced a Bill here by agreement with the Government, when his own parliamentary experience must have told him that such a thing was utterly unknown and practically impossible. And yet he accused me of having done so; and although I denied it he has never yet withdrawn his statement. As regards strong language, I appeal to the hon. gentlemen who have listened to my remarks on this West India business. I asked the Minister of Finance a question because I would not have another opportunity of doing so during the Session; I asked the question because it was one in which my constituents take a great interest, one in which the senior member for Halifax himself had stated—as I quoted in his speech in 1876—was one in which the people of Canada were largely interested. It suited that hon. gentleman to make that speech in 1876, when the condition of things were exactly similar to that of 1887, yet it suits him to make a different speech to-day; and because I assert my liberty here to speak upon this public question, as I think and believe, he attacks me in a way in which I have heard no hon. member attacked in this House since I entered it. The hon. gentleman has referred to this petition. Had I not a perfect right to bring it here? Was it not a public document? Had it not done a positive injury to the trade of Halifax? Was it not an advantage to our commerce to have those steamers to which reference was made? They were subsidised by the Imperial Government? They involved no tax on the Dominion Government, no tax on the Province of Nova Scotia, no tax on the city of Halifax. The Imperial Government paid the subsidy, and we had the benefit of the use of those steamers for the transportation of our mails, passengers and freight. Such an arrangement, I say, was a palpable advantage to the trade of Canada, and the hon. gentleman's success has been a positive injury to that trade, and especially to the city of Halifax, where those vessels distributed annually \$90,000 a year, and it aimed a severe blow at the prestige of our port at the very time we were claiming for it the position of the winter port of Canada. At the very time we were claiming that position it was assailed by the hon. gentleman. The hon. gentleman has proclaimed in other places, when this matter was brought before him and his fellow-citizens, that he is a merchant first. My doctrine—it is not for me to tell the hon. gentleman what he is to do—but my doctrine is that when a gentleman is sent here to represent a constituency that its interests should be his first consideration, and that is his solemn duty, irrespective of his own investments, whether they are in schooners or ships, West India goods or dry goods. That is my doctrine. Whether the hon. gentleman has carried it out himself or not I leave hon. gentlemen who have listened to this discussion to draw their own conclusion from what they have heard. I regret that this debate should have assumed this very unpleasant turn. I refuse to be held responsible for it, and I can only say that in expressing myself as I did on this West India question—while I do not claim to be an expert on it—I considered that it was my duty as representing Halifax, as the representative of one of the constituencies in the Maritime Provinces, to express those opinions, because I believed the views I entertained were the views of the great majority of the people of the Lower Provinces.

Mr. JONES. With respect to this document to which the hon. gentleman gives such an emphatic denial—

Mr. KENNY. Denial of what?

Mr. JONES. Denial of your knowledge.

Mr. KENNY. I simply said here to-night what I told the hon. gentleman when I met him in Halifax.

Mr. JONES. When I met the hon. gentleman I was handed, from various sources at that meeting, circulars which had been addressed to them, circulars of the hon. gentleman and Mr. Stairs, and with those circulars was the forged document to which I have referred. At the close of the meeting I said to my friend: "Kenny, do you know anything about that? I will do you the justice to say I believe you do not, and that I believe you will thank me for giving you the opportunity to disavow all complicity or knowledge with respect to it." The hon. gentleman, instead of emphatically asserting there that he not only disavowed it but disproved it, gave the answer he has given to-night. I am only responsible for what I put above my own signature and say to the public. The position was this: that this document was circulated with the circulars of the hon. gentleman all over Halifax, and he never disavowed it.

Mr. KENNY. That is not correct.

Sir CHARLES TUPPER. I have been asked a very important question, and, notwithstanding the lateness of the hour I must take the advantage to briefly enter into it. I am sure the House will sympathise with one statement made by the senior member for Halifax, and that is that this has been a very painful discussion. I am reminded of a circumstance which occurred some time ago in Nova Scotia. When Sir Brenton Haliburton was president of the Legislative Council, a gentleman who sometimes made very long-winded speeches without very much in them, concluded a three hours speech by saying that it was very painful to have delayed their honors at such great length, and Sir Brenton said that if it was any consolation for the hon. gentleman to know it, he could assure him that he was not the solitary sufferer. I can assure the senior member for Halifax that, however painful this debate may have been to him, he has not been a solitary sufferer. I will say, without entering into the discussion between those two hon. gentlemen, that the speech of the senior member is one he would not have made in the city of Halifax where both he and the junior member are equally well known. I will say to the hon. gentleman that, high as may be his position as a fish merchant in Halifax, it will be a proud day for him if he should ever attain the position which the junior member occupies in that commercial community, and he will have reached a standing to which he might look forward with ambition, and which he is a long way from reaching at the present moment. I would not have said that but for the overweening terms of reproach that the hon. gentleman again and again has addressed to his colleague for the city and county of Halifax here to-night, language that no position he has ever attained in this House would warrant him in using to a gentleman, whose character commercially, socially and personally, and in every way that constitutes an hon. gentleman, would warrant him in applying to his colleague. I will not say more than that, because I do not wish to enter into this discussion; but I will say this, that the reason why I attach greater importance to the views and sentiments of the junior member than I do to those of the senior member on this very important question,—

An hon. MEMBER. Because he supports you.

Sir CHARLES TUPPER—is that one of those hon. gentlemen who stand here is avowedly and admittedly an interested party. He tells you that he is unwilling that the subsidy shall be given to a line of steam communication between Canada and the West Indies, that he is unwilling that that should be done, because he says it strikes at his

own interests ; that he has a few schooners engaged in the fish trade, and he thinks he can make more money out of his schooners and his fish trade—

Mr. JONES. I didn't say anything of the kind.

Sir CHARLES TUPPER. The hon. gentleman didn't say anything of the kind? Why, Sir, his whole argument was that he understands his business, that that my hon. friend does not ; that he is in a position to speak about the matter and that my hon. friend is not. What does that mean? Does it not mean that you are interested, that you have schooners engaged in the trade? The hon. gentleman knows that his whole speech has but that meaning, and he must not shelter himself behind a mere play of words. Sir, how many times in the course of this evening, did the hon. gentleman address the House with endless and tiresome iteration—how many times has he insulted the good sense of this House by saying that he knows all about this subject, and that my hon. friend the junior member for Halifax, his colleague, knows nothing about it? If the hon. gentleman said that once he said it twenty times, and once would certainly have been sufficient against good taste; once would certainly be sufficiently a violation of the language which hon. gentlemen in his position use towards one another; once was enough, and yet, over and over again did he assume a position that he has no warrant to take in this House, by anything he has ever done inside this House or out of it. Now, Sir, I will tell the hon. gentleman that that is one reason that I attach so little value to his utterances. The moment that a man tells me that his own interests are entirely bound up in a project, I assume that I must allow a certain amount of consideration for the extent to which he may become blinded. Now, Sir the junior member for Halifax stands in this position: he occupies a position second to no man in Halifax, or in the Province of Nova Scotia, as a merchant and as a man of high standing.

Mr. JONES. Hear, hear.

Sir CHARLES TUPPER. A man of high character and standing, who deservedly enjoys the confidence of all classes of the community.

Mr. JONES. Hear, hear.

Sir CHARLES TUPPER. As a merchant and a commercial man of high standing and character, that hon. gentleman has again and again been told, representing as he does that great metropolitan constituency as much as the hon. gentleman on the other side, he has again and again been told that he has no right to speak, that his opinions are of no value, because he is ignorant of the subject and unqualified to offer an opinion. That is not the language by which the hon. gentleman will ever advance his own position, or detract from the position of my hon. friend behind me. I say, Sir, he has sneered at my hon. friend behind me and at the Board of Trade of the city of Halifax, of which he is a member, the Board of Trade with which he is in constant association from Monday morning till Saturday night, whose opinion he has again and again brought to bear on the Government of the country, in relation to important questions—for it was only the other night that he stood up and gave the decision of the Board of Trade, on a question touching the business of Halifax, and demanded that the Government and the House should show the highest respect and confidence in the decision which the Board of Trade had arrived at. Why, Sir, has the hon. gentleman brought us here the authoritative *dicta* of the Board of Trade of the city of Halifax, if they are the contemptible, insignificant, unworthy body he has represented them here to-night—a body undeserving of the respect or confidence of anybody; a body whose opinions are as the idle wind; a body who should be treated, not merely with per-

Sir CHARLES TUPPER.

fect unconcern but with perfect contempt by this House. But, Sir, much as the hon. gentleman sneers at my hon. friend behind me, contemptuously as he sneers at the Board of Trade of the city of Halifax, there was one man he treated worse than either, one man that he treated with greater contempt, one man upon whom he inflicted a deeper injury than he did either upon my hon. friend or the Board of Trade of the city of Halifax—and that man was himself. The hon. gentleman stood up here and gave us an exhibition of what we might expect from the hon. gentleman; but there was not a sneer he uttered that struck more deeply or incisively upon anybody, than it did upon the speech which he himself had delivered in this House. Why, in 1876, when he stood, not in the cold shades of Opposition, but when he was clothed with the authority of a member of the Administration, when he stood on this side of the House—

Sir RICHARD CARTWRIGHT. My hon. friend was not a member of the Government in 1876.

Sir CHARLES TUPPER. Not a member but a supporter of the Government of that day, of which he was afterwards a member; and I do not forget that either. I do not forget that that which he told that Government was a vital matter, with reference to the restoration of the West India trade, that that policy which he told the Government was worth four millions of dollars per annum to the Province of Nova Scotia, that that policy which he demanded from that Government, was refused by that Government, and when they refused it he kissed the hand that smote him, and went into that Government and became one of their colleagues. But it was not for that that I rose to address the Committee, but to remind the hon. gentleman that in all his sneers and attacks on the Board of Trade of Halifax, and on my hon. friend the junior member for that city, there was nothing that did not pass by like the idle wind, compared with the manner in which he assaulted his own declarations as a public man on the floor of this House. Then, Sir, he was in favor of a line of steam communication; then, he supported warmly the motion made by Mr. Young to establish a line of steam communication between Canada and the West Indies; then, he declared that it was of the greatest importance to Halifax and the Province of Nova Scotia, as well as to all the manufacturing industries of Canada, that this line of steam communication should be adopted in order to save and maintain that trade, which he declared was worth four millions per annum to this country. Then, Sir, the Canard steamers, which he now sneers at and treats with such contempt, he held up as a line managed in the interests of the country, and performing valuable work for this country. Now, Sir, I say there is no assault the hon. gentleman has made on anybody in this House, or out of it, half as effective as the assault with which in 1837 he has demolished the member for Halifax of 1876, and the statements he then made in this House. I have given the hon. gentleman the reason why I do not attach that weight and importance to his statements that I should be disposed otherwise to attach to them. I may say that the Government, concurring in every word that fell from the hon. member for Kent, who showed, just as the hon. member for Halifax in 1876 showed, the value that this line of steam communication would be to this country—I accept the statements of the hon. member for Kent as sound, and as entirely endorsing the views of the hon. member for Halifax of 1876, and of the junior member for Halifax of 1887. I say that this concurrent testimony satisfies me that the hon. gentleman was then alive to the true interests of the country—that with his friends in power, when he was not in a position to obstruct anything which was put forward by the Government in the interests of this country—I say that I take his cooler judgment then, when he was supporting the Government in power and supporting the proposition made

by that Government for the purpose of establishing this line of steam communication. The hon. gentleman says, and says truly, that Nova Scotia has, to a large extent, the fish trade with the West India Islands, certainly with Cuba and Porto Rico. But he knows right well that the trade which the United States now monopolises is a trade that is worthy of the attention of this country, and one that we would fail in what we owe to the country, if we did not attempt to obtain in accordance with the opinion the hon. gentleman held in 1876, when he spoke from this side of the House. The flour trade is one that Canada could take, and it is an enormous trade. The trade in potatoes with those islands is a most valuable and important trade that Canada ought to be able to take. I say that in flour, potatoes and lumber, three most important staples, Canada is well adapted to furnish better than the United States is to-day. In lumber and potatoes we are in a position to more than compete with them. We export lumber to the United States and pay a heavy duty on it, and we export potatoes to the United States in the face of a heavy duty; so that in regard to those articles, and in regard to flour, we have only to adopt proper methods to extend the trade of Canada enormously with those islands. Then, there are all the other articles which attracted the attention of the hon. gentleman in 1876, the products of the manufacturing industries of Canada, which can be expanded to an almost indefinite extent. I may be asked, if these are my views, why there is not a vote here to establish this service? I may say that the Government are quite satisfied that it is in the interest of Canada that this steam service should be established; but the Committee will remember when, on a previous occasion, I stated the position we were in with regard to Spain, I stated that I expected, at an early day, that this Government would be represented at Madrid, and that we would enter into negotiations with the Spanish Government to trade with Cuba and Porto Rico on such terms as would certainly put us on, at least, an even keel with the United States; and the abstention of the Government from bringing down a vote for establishing this steam communication now may be useful to us in conducting those negotiations. I say the Government are fully alive to the importance of this trade to Canada. We are prepared to do everything we can to extend our trade, and I believe we shall be able to extend it to a very large extent with the West India Islands, both British and foreign, and that at an early day in the future we shall be able to ask the House, with greater confidence than we can now, for a vote that will put this trade with the West India Islands on a very satisfactory basis.

Committee rose and reported resolutions.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to, and House adjourned at 3:20 a. m. (Wednesday).

HOUSE OF COMMONS.

WEDNESDAY, 15th June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

PONTIAC AND PACIFIC JUNCTION RAILWAY CO.

Mr. BRYSON moved that Bill (No. 102) respecting the Pontiac and Pacific Junction Railway Company, be placed among the private Bills on the Orders of this day, for consideration in Committee of the Whole, in accordance with

the recommendation of the Select Standing Committee on Railways, Canals and Telegraph Lines.

Mr. WHITE (Renfrew). I object to that motion, as it is contrary to rule No. 22. I object to the Bill being placed on the Order Paper for to-day.

Mr. SPEAKER. If there is any objection, of course the rule cannot be suspended. It will have to go till to-morrow.

CANADA ATLANTIC STEAMSHIP COMPANY.

Mr. TUPPER moved for leave to introduce Bill (No. 151) for granting certain powers to the Canada Atlantic Steamship Company (Limited), and that the 51st and 49th rules of this House be suspended as regards this Bill.

Motion agreed to, and Bill read the first time.

Mr. TUPPER moved the second reading of the Bill.

Motion agreed to, and Bill read the second time.

GENERAL INSPECTION ACT.

Mr. COSTIGAN moved for leave to introduce Bill (No. 152) to amend the General Inspection Act.

Mr. JONES. Will the hon gentleman be kind enough to explain the scope of the proposed change?

Mr. COSTIGAN. This is a short Bill, the object of which is to amend the Inspection Act, in so far as the inspection and grading of flour is concerned. It is only introduced at the special request of the Chamber of Commerce of Montreal, backed up by the commercial bodies of Toronto, Quebec and other cities. It was understood that, as it was the general desire to close the Session at an early date, this Bill should stand over; but a very important delegation came to Ottawa and convinced the Government that the measure should be passed through. It was, accordingly, agreed that the Bill should be passed through even at this late stage of the Session.

Motion agreed to, and Bill read the first and the second times.

FISH TRAPS.

Mr. PERRY asked, How many applications to set fish traps along the coast of Prince Edward Island have been made to the Department of Marine and Fisheries from 1878 up to date? How many have been granted, and how many have been refused? The date of each license, the amount paid yearly by each party obtaining licenses, and the date of refusal of granting licenses?

Mr. FOSTER. The only written application received at the Fisheries Department, from 1878 to the present date, for permission to fish with trap nets along the coast, was from Mr. James H. Myrick, of Tignish. Only one license was granted to J. H. Myrick, from 1879 to 1885; fee \$40 per annum. This license was not renewed in 1886 and 1887.

CAP A LA CORNEILLE BOOMS.

Mr. CHOQUETTE asked, Who was entrusted with the execution of the work done at the booms at Cap à la Corneille, on the River St. Maurice? What has been the cost of the said work? Had tenders been called for in relation thereto?

Sir HECTOR LANGEVIN. The person who has been charged with these works is a gentleman whose name is F. E. Norton. These works have cost \$7,945. No tenders were asked for, owing to the fact that the work was done at the usual rates.

COLONISATION COMPANIES.

Mr. LANDERKIN asked, How many colonisation companies are there in active existence in the North-West Territory, and what names are they known by? What income is derived from the same by the Government?

Mr. WHITE (Cardwell). There are eighteen companies—I said the other day there were nineteen, but I find there are eighteen—in existence. They are: The Fertile Belt Colonisation Company, the Temperance Colonisation Company, the Primitive Methodist Colonisation Company, the Farmers' North-West Land and Colonisation Company, the Dominion Lands Colonisation Company, the Montreal and Western Land Company, the Touchwood-Qu'Appelle Colonisation Company, Alexander Scott and Timothy Hay, the York Farmers' Colonisation Company, the Qu'Appelle Land Company, P. V. Valin, the Edmonton and Saskatchewan Land Company of Canada, Patrick Purcell, the Saskatchewan Land and Homestead Company, J. C. Morrow, J. W. G. Armitage and John Beattie, Shell River Colonisation Company, W. B. Vahey and J. Wilkinson, James Armstrong and John J. Cook. There is no revenue derived from those companies.

Mr. LANDERKIN asked, How many colonisation companies have ceased to carry on business in the North-West Territory? When did they cease? By what names were they known?

Mr. WHITE (Cardwell). The Government have agreed to sever their contract with the following companies: Qu'Appelle and Longlake Land Company, the Fertile Belt and Western Colonisation Company, H. W. Christian Meyer, Ferguson, Blackburn and others, including H. B. Smith, Prince Albert Colonisation Company, Wm. Sharples, Scotch Ontario and Manitoba Land Company.

SETTLEMENT IN NORTH-WEST TERRITORIES.

Mr. LANDERKIN asked, What steps do the Government propose taking in order to encourage settlement in the North-West Territory, and continue the work so beneficially inaugurated by the Government in 1874?

Mr. WHITE (Cardwell). This is hardly a question that should be put. The steps taken by the Government are embodied in the regulations of the Department, and in the Acts passed by this House, and we consider they will prove superior to those measures previously in force.

PROTECTION OF FISHERIES.

Mr. LANDERKIN asked, Whether any instructions, written or verbal, other than those contained in the correspondence recently laid on the Table, were given to the commanders of fisheries protection vessels in 1886? If so, what were they?

Mr. FOSTER. Confidential instructions, other than those contained in the fishery papers, &c., were issued through the commanders of the fishery protection cruisers in 1886. If these were to be made public they would cease to be confidential.

REPRESENTATION OF QUEEN'S COUNTY, N.B.

Mr. LANDERKIN asked, Have the Government had any communication, written or otherwise, with Mr. Baird, of Queen's county, N.B., as to his resignation, as promised in his explanation given to this House of his being here in the place of Mr. King?

Sir JOHN A. MACDONALD. The Government have had no communication, written or otherwise, with Mr. Baird as to his resignation.

Sir HECTOR LANGEVIN.

HARBORS AND BREAKWATERS.

Mr. CURRAN, in the absence of Sir DONALD SMITH, asked, 1st. What is the aggregate of the moneys that have been voted by Parliament during the term of years since Confederation down to the present time, exclusive of revotes, but including the Estimates for the fiscal year ending 30th June, 1888, for expenditure on harbors and breakwaters, improvements in rivers, dredging operations, including cost of and repairs to dredges? 2nd. What part of this expenditure was on the harbor of Montreal and on the ship-channel between Montreal and Quebec?

Sir HECTOR LANGEVIN. In answer to the first portion of this question, I would say that a long time would have to be occupied to give an answer, and a large number of papers would have to be examined. I, therefore, in the statement I have obtained give the amount expended instead of the amount voted. The following are the amounts:—Harbors and breakwaters: Expended to 30th June, 1886, \$7,173,841; estimates for 1886-87, \$338,556; estimates for 1887-88, \$237,450; total, \$7,749,847. Improvements of rivers: Expended to 30th June, 1886, \$1,326,530; estimates for 1886-87, \$142,200; for 1887-88, \$71,200; total, \$1,539,930. Dredges, construction: Expended to 30th June, 1886, \$472,662; estimates for 1886-87, \$17,000; 1887-88, \$20,700; total, \$510,362. Dredges, maintenance and repairs, \$137,340; estimates for 1886-87, \$32,000; estimates for 1887-88, \$32,000, making a total of \$201,340 08. For dredging, included in harbors and rivers, the amount of the estimates for 1886-87 was \$90,000; for 1887-88, \$90,000; total, \$180,000. The total amount expended to the 30th June, 1886, was \$9,110,374.76; the total estimates for 1886-87, \$619,756; the total estimates for 1887-88, \$451,350, making a grand total of \$10,181,480.76. In answer to the other part of the hon. gentleman's question, I would say that none of the above amounts was expended or voted for the Montreal harbor, or the deepening of the river St. Lawrence between Quebec and Montreal, but \$2,530,504.10 was advanced, up to the 8th of June instant, out of the \$2,680,000 authorized by special Acts of Parliament, the Harbor Commissioners repaying the same at the rate of one per cent. sinking fund, and four and five per cent. interest.

SUMS PAID T. J. WATTERS AS SEIZING OFFICER.

Sir RICHARD CARTWRIGHT asked, What sums have been paid to T. J. Watters as seizing officer, since 30th June, 1886, and what sums as informer? And what further amounts are now claimed in either capacity?

Mr. BOWELL. The following sums have been paid by the Customs Department to Mr. T. J. Watters, since the 30th June, 1886, as seizing officer's share: \$373.40; \$235.70; \$3,997.33; \$1,433.70; making a total of \$6,040.13. No payments have been made that officer as informer. How much of the above sum was paid by him to those from whom he received information we have no knowledge, as we never make enquiry as to who the informers are. No further amounts of which we have any knowledge are now claimed by that officer in respect of seizures.

STATION IN NOTRE DAME DU SACRÉ-CŒUR.

Mr. Fiset asked, Whether it is the intention of the Government to build a depot or station, on the line of the Intercolonial Railway, in the Parish of Notre Dame du Sacré-Cœur? If such is their intention, when do the Government propose to commence the building of this station?

Sir JOHN A. MACDONALD. It is not the intention of the Government to build a depot, this summer, at that place?

WHARF AT ST. ROCH AND STE. LOUISE, L'ISLET.

Mr. CASGRAIN asked, Whether it is the intention of the Government to assist the municipalities of St. Roch and Ste. Louise, in the county of L'Islet, in repairing the damage caused to their wharf by the storm of November, 1884?

Sir HECTOR LANGEVIN. It is not the intention of the Government to make the repairs which are asked for. This wharf is not a Government wharf and we have not been informed that these repairs were needed.

WHARF AT STE. ANNE DE LA POCATIÈRE.

Mr. DESSAINT asked, Whether it is the intention of the Government to repair the wharf at Ste. Anne de la Pocatière, in the county of Kamouraska, and to complete the wharf this year?

Sir HECTOR LANGEVIN. If there are repairs to be made they will be made at this wharf as they are made at other wharves. As to completing the wharf this year, I cannot give a definite answer to that question in the way it is put.

DISMISSAL OF PAUL BÉLANGER AND GABRIEL CARON.

Mr. DESSAINT asked, For what reasons were Paul Bélanger and Gabriel Caron, both employés on the Inter-colonial Railway at the Rivière du Loup station, dismissed? Did these employés demand an enquiry to clear themselves? If they did so, why was such an investigation refused them?

Sir JOHN A. MACDONALD. Messrs. Bélanger and Caron were dismissed for neglect of duty. It is not known whether they demanded an enquiry here in the office, but, at all events, an investigation took place, and their dismissal was the result.

PUBLIC BUILDING IN LUNENBURG.

Mr. ROBERTSON (Shelburne), in the absence of Mr. EISENHAUER, asked, From whom was the site for a public building in the town of Lunenburg purchased? What was the amount paid for the site? How much land is contained in same? Has the amount been paid for the land, and when, and has the deed passed to Her Majesty?

Sir HECTOR LANGEVIN. The site for the public building at Lunenburg was purchased from Messrs. Creighton for \$3,900. The size of the lot is 120 by 80 feet, or 9,500 square feet. A cheque for the amount was sent to the Department of Justice on the 13th of May last, but a deed has not been given.

POSTMASTER AT ST. LUCE STATION.

Mr. Fiset asked, Whether the Government have ordered an enquiry in the matter of the charges brought in this House against A. Laberge, postmaster at St. Luce Station? If they have done so, what is the result of the investigation?

Mr. McLELAN. No charges have been transmitted to the Department against that postmaster.

WAR CLAIMS PAID AND REJECTED BY THE GOVERNMENT.

Mr. HOLTON asked, Have any claims recommended for payment by the War Claims Commission been rejected by the Government? If so, what were the claims so rejected, their amounts, and the reasons for refusing their payment?

Sir ADOLPHE CARON. In answer to the hon. gentleman, I beg to refer him to report No. 153 of the War Claims Commission:—F. N. Gisborne, Superintendent of Telegraph Service, for extra services of the following persons: Sub-agent Voulindeburg claimed \$50; recommended, \$18. Sub-agent Anderson claimed \$50; recommended, \$18. Agent Molloy claimed \$150; recommended, \$61.50. Repairer McFarlane claimed \$100; recommended, \$41. Repairer Latimer claimed \$100; recommended, \$41. Chief operator Richardson claimed \$150; recommended, \$82. District Superintendent Gisborne claimed \$200; recommended, \$92.25. Total claimed, \$800; less off, \$416.25; amount paid, \$353.75. I would also refer the hon. gentleman to report No. 163 of the War Claims Commission: Lieutenant-Colonel Peebles, superintendent of stores and paymaster at Winnipeg; difference between his pay of \$41.66 per month, and \$4.87 per day, the pay of his rank, 321 days to 30th September, 1886, \$1,229; recommended, \$1,123.50; off \$105.50. I would also refer him to report No. 175 of the War Claims Commission, 857: Sergeant Alfred Codd, for attending sick and wounded of the North-West field force, remaining at Winnipeg hospital from 27th November, 1885, to 29th December, 1886, 306 days at \$1.65, \$504.95; recommended, \$198.90; off, \$306.05. The reasons for the action taken by the Department are to be found in the report.

THE SURGEON GENERAL.

Mr. HOLTON asked, Does Colonel Bergin retain the position of Surgeon General in the active militia? If so, what is his salary, and what are his duties?

Sir ADOLPHE CARON. Colonel Bergin is gazetted Surgeon General, and retains his position in the active militia. He has no duties to perform, and not under pay.

REJECTED WAR CLAIMS.

Mr. HOLTON asked, Have any claims which were rejected by the War Claims Commission since been paid? If so, what were the claims so paid, their nature and amounts, and the reasons of the Government for their payment?

Sir ADOLPHE CARON. War Commission Report 96, John Balsillie, for pay as chief accountant, employed by Mr. Bedson, late chief transport officer in the North-West with the general officer commanding, \$516; disbursements and hotel expenses, \$46.20; stationery, \$13.95; and two months' rent of office, \$50. The claim was rejected by the Commission for want of sufficient proof that the work had been performed, and has since been paid on a certificate from Mr. Bedson, giving full details of the said work. War Commission Report 96, H. Newell, assistant accountant, \$105, ditto. War Commission Report 427, J. H. E. Secretan, for pay for services as assistant chief transport officer with the general officer commanding, for the month of September, 1885, \$255. This claim was rejected by the Commission, as they were not satisfied that he was employed during that month, and has since been paid on the certificate of the general officer commanding that he was then employed in the service of the Government.

CANADIAN PACIFIC RAILWAY—THE ONDERDONK CONTRACT.

Mr. CHISHOLM asked, Whether the Onderdonk contract—the section between Kamloops and Port Moody, British Columbia, has been conveyed to the Canadian Pacific Railway Company, and if so, when, and on what terms?

Sir JOHN A. MACDONALD. The section between Kamloops and Port Moody has been handed over to the Canadian Pacific Railway Company, under the terms and con-

ditions of the contract set out in the Act incorporating that company.

RANGE LIGHTS AT MIMINEGASH, P.E.I.

Mr. PERRY asked, Is there a keeper appointed for the range lights at Miminegash, Prince Edward Island? If so, who is he?

Mr. FOSTER. No permanent keeper has yet been appointed. There is some question about rearranging the range lights. If the lights are lighted before that is done, they will be put in charge of a temporary man.

DEBLOIS POST OFFICE, PRINCE EDWARD ISLAND.

Mr. PERRY asked, Were tenders asked for, for carrying mails from DeBlois Station to the post office at DeBlois Road, Prince Edward Island? If so, to whom has the contract been given, and for what amount?

Mr. McLELAN. It is understood that the Post Office Inspector at Charlottetown has asked for tenders for carrying these mails, but the contract has not been assigned.

Mr. PERRY asked, Upon whose recommendation was the postmaster of DeBlois Road, Prince Edward Island, appointed?

Mr. McLELAN. He was appointed on the responsibility of the Post Office Department.

ST. ANDREW'S RAPIDS, RED RIVER.

Mr. WATSON asked, Has the Government completed surveys of St. Andrew's Rapids, on Red River, in the Province of Manitoba? If so, what is the estimated cost of proposed improvements, and is it the intention of the Government to place a sum in the Estimates and go on with the improvements this year?

Sir HECTOR LANGEVIN. The chief engineer says the plans have been received, but too late to be considered this Session. Those plans are simply plans of the river. What have to be prepared are plans of such works as may be required to overcome the St. Andrew's Rapids by the construction of locks and dams, involving an expenditure of at least half a million dollars, and, therefore, requiring time for consideration.

THE COMMAND OF "C" BATTERY.

Mr. AMOYT asked, Whether Lieut.-Col. Grey, of the Toronto Field Battery, has been appointed to the command of "C" Battery of the Canadian Regiment of Artillery, and whether it is the intention of the Government to appoint him?

Sir ADOLPHE CARON. Lieut.-Col. Grey has not been appointed to the command of "C" Battery. Lieut.-Col. Holmes was appointed to that position by General Order, dated the 10th of August, 1883, under authority of an Order in Council passed on the 9th of July, 1883.

CLAIM OF DR. J. MORIN.

Mr. AMYOT asked, Whether the Government intend to pay to Dr. J. Morin, of St. Charles, Bellechasse, the amount of his claim for medical attendance on Odilon Fournier, a brakeman on the Intercolonial Railway, wounded at St. Charles, aforesaid, when engaged in the discharge of his duty as such brakeman, on the 28th March, 1885, the said attendance having lasted up to 8th June, 1885? If not, what amount do the Government intend to pay him, and when will such payment be made?

Sir JOHN A. MACDONALD.

Sir JOHN A. MACDONALD. That claim is being considered.

CANADIAN HORSES WORKING IN THE UNITED STATES.

Mr. GILLMOR asked, Is the Government aware that the United States Government have stopped allowing Canadian horses passing into the States in bond to perform temporary work? That parties taking their horses from Canada for temporary work must enter them and pay the duties? In cases where horses are so entered and the duties paid in the United States, will the Government allow those horses to return to Canada without demanding that duties shall be paid upon them?

Mr. BOWELL. The Government are aware that a circular has been issued by the Treasury Department at Washington, depriving Canadians of the privilege they formerly enjoyed of taking their horses and implements into the United States for temporary employment. I desire to inform the hon. gentleman that the most liberal regulations will be made in order to assist our own people in obtaining employment in that way.

PUBLIC BUILDING AT LUNENBURG.

Mr. EISENHAUER asked, Whether the Government, in accordance with the reply given to the question asked regarding a grant for a public building at Lunenburg, have considered the matter, and whether, in view of the numerous signed petition recently presented from the people of Lunenburg regarding the same, the Government has decided to provide for a building this Session?

Sir HECTOR LANGEVIN. It is not the intention of the Government to provide for a building this Session.

PROPOSALS TO PURCHASE THE INTERCOLONIAL RAILWAY.

Mr. CHOQUETTE asked, Whether proposals have been made to the Government, by any persons or companies, for the purchase of the Intercolonial Railway? If so, who are the said persons or companies; and have the Government considered the said proposals?

Sir JOHN A. MACDONALD. Several conversations have taken place with parties desiring, or professing to desire, to purchase the Intercolonial Railway, and a memorandum or paper will be put in. But no results have arisen from these, and the Government now has before it this incomplete proposition.

PENETANGUISHENE HARBOR.

Mr. O'BRIEN asked, Whether it is the intention of the Government to place a sum in the Estimates for the improvement of the harbor at Penetanguishene?

Sir HECTOR LANGEVIN. I may say that interviews have taken place between deputations from the people of Penetanguishene and the Minister of Public Works, about improvements there; but I must wait until some proposal is made, as it was supposed would be made, by the town to my Department, before I can submit the matter to my colleagues.

REVISING OFFICER AT L'ASSOMPTION.

Mr. GAUTHIER asked, Whether it is the intention of the Government to appoint, at an early day, a revising officer for the electoral district of L'Assomption, in place of Pierre Blouin, Esq., deceased?

Mr. CHAPLEAU. In due time.

84TH ST. HYACINTHE BATTALION.

Mr. BÉCHARD, in the absence of Mr. BERNIER, asked, Why has the 84th St. Hyacinthe Battalion only five companies, when six is the regulation? Has Captain Duhaime, of No. 3 Company of 84th St. Hyacinthe Battalion resigned, and when was his resignation received at the Department? Has Lieutenant Valcourt, of No. 3 Company, been recommended for promotion to the command of said Company, and if so, why is he not gazetted? Why has the 84th Battalion no junior major? Has any person been recommended for junior majority of the 84th? If so, why is he not gazetted? Has Lieut.-Col. B. F. Campbell, commanding 84th Battalion, recommended to the Deputy Adjutant General of the Sixth Military District, any person for the position of junior major of the 84th Battalion? Has Lieut.-Col. B. F. Campbell, commanding 84th Battalion made any request to the Deputy Adjutant-General of his district, since two years, to be allowed to raise his battalion, to the full strength of six companies? Has Lieut.-Col. B. F. Campbell, commanding 84th Battalion, complained at any time since two years of the neglect to gazette recommendations he made for promotion of officers, as well as for the appointment of officers to said battalion? Is General Sir Frederick Middleton aware of the complaint made by Lieutenant-Colonel B. F. Campbell, commanding 84th Battalion? If so, what is being done?

Sir ADOLPHE CARON. (Translation.) In answer to the questions put by the hon. member I have the honor to say:—1. The 84th Battalion is still on the list of the active militia as having six companies. 2. The resignation of Captain Duhaime of No. 3 Company was received at the office of the Adjutant General on the 5th of February, 1886. 3. Lieutenant Valcourt is the officer who comes immediately for promotion in No. 3 Company. The list of recommendations and the resignation of Captain Duhaime have been sent to the Deputy Adjutant-General of District No. 6, Lieutenant Colonel Harwood, on the 12th of February, 1886, to obtain the transfer of the arms of the company. These papers have not come back to Ottawa, and that is the reason why nothing has been published so far. We have written to the Deputy Adjutant-General on the 11th June, 1887. 4. When a battalion is entitled to this junior major it belongs to the officer commanding to recommend a qualified and proper person for that position. 5. Yes; and Milton McDonald has been recommended. 6. He is not an officer; he has no qualification certificate. This appointment would be an injustice towards all the other captains. 7. Yes; I have answered that in the fifth answer. 8. The battalion is complete, having six companies. However, of these companies numbers five and six are not effective. 9. The delay arises from the fact that the recommendations were not such as could be carried out. 10. Yes; we have communicated about this matter with the Deputy Adjutant General of that district.

YORK VILLAGE—GRAND RIVER.

Mr. MONTAGUE asked, Is it the intention of the Government to have an enquiry made by properly qualified persons into the necessity and desirability of constructing the public work at York village, upon the Grand River, for which assistance is asked, and which the Municipal Council of the county have already passed upon, as per resolution of the council forwarded to the Government; and when will the enquiry take place?

Sir HECTOR LANGEVIN. It is the intention of the Government to have enquiry made, and that soon.

DISTRIBUTION OF HANSARD TO MUNICIPALITIES.

Mr. TURCOT asked, Would the Government be disposed to order that a copy of *Hansard* be sent every year to any

municipality asking for it, so that it might be placed in the municipal archives and be accessible to the public?

Sir HECTOR LANGEVIN. It is not the intention of the Government.

TELEGRAPH SERVICE—ASHCROFT AND BARKERVILLE.

Mr. REID asked, What arrangements were made whereby the telegraphic service between Ashcroft and Barkerville are performed by the Canadian Pacific Railway Company? Does the Government retain any control over the said line in respect to the proper and efficient service thereof?

Sir HECTOR LANGEVIN. Arrangement has been made with the Canadian Pacific Railway, that the district superintendent, Mr. Wilson, late Government telegraphic superintendent in British Columbia, will maintain in good repair and efficiently operate the line between Ashcroft and Barkerville, the Government to pay the actual expense, to be credited with the receipts from the line, such agreement to terminate at any time at the option of the Government.

CHIPPEWA INDIANS ANNUITY.

Mr. COOK asked, How have the moneys, £1,200 annuity, payable to the Chippewa Indians under surrender October 1st, 1818, been applied?

Sir JOHN A. MACDONALD. The moneys referred to in the above question are at the credit of the Chippewa Indians who made the surrender on October the 17th, 1818, (not on October the 1st), and the amount is distributed among them semi-annually.

SALES OF INDIAN LANDS.

Mr. COOK asked, How have the moneys arising from the sales of the Indian lands on Georgian Bay, Lakes Couchiching, Huron and Simcoe, been applied, and also the moneys arising from the sales of the Coldwater Reserve?

Sir JOHN A. MACDONALD. The moneys arising from the sales of the Indian lands on Georgian Bay, Lakes Couchiching, Huron and Simcoe, as well as the moneys arising from the sale of the Coldwater Reserve, have gone to the credit of the capital funds of the Chippewa Indians, and the interest thereon is distributed among them semi-annually.

TIMBER CUT ON INDIAN LANDS.

Mr. COOK asked, What compensation do the Government intend to allow the Indians of Christian Island, for the timber cut by licensees of the Crown on their lands on the eastern shore of Georgian Bay, running northward from the Penetanguishene purchase up to Moose Point?

Sir JOHN A. MACDONALD. The question of compensation, if any, to be allowed the Indians of Christian Island on the above account, will be a matter for settlement when the Commissioners meet for the purpose of settling claims against the old Province of Canada.

PENETANGUSHENE PURCHASE.

Mr. COOK asked, What compensation do the Government intend to allow the Indians of Christian Island, for the lands comprised in what is known as the Penetanguishene purchase, which the Indians allege was never surrendered by the tribe to the Government but by vagabond Indians who held no authority to execute the deed?

Sir JOHN A. MACDONALD. The Crown purchased from the Indians, in the year 1795, the lands above referred to, for £101 currency paid in hand to them, The Indians

now allege that those who undertook to negotiate with the Government for the sale of the property in question had no authority to do so, or to execute a deed of surrender of the same. At this late date it is most difficult to arrive at the facts in respect to this matter. It is only recently that any doubt has been thrown on the *bonâ fides* of the parties who executed the surrender. The compensation, if any, to be allowed the Indians, should their claim be substantiated by sufficient evidence, would have to be arranged by the Commissioners for the adjustment of claims against the old Province of Canada.

CLAIM OF DANIEL CHOUINARD.

Mr. Fiset asked, What are the reasons which have induced the Government to defer, up to this date, the payment to Mr. Daniel Chouinard of the amount awarded to him by the Official Arbitrators for damages caused to his property by the passing of the Intercolonial Railway?

Sir JOHN A. MACDONALD. The evidence which was adduced to establish this claim was so contradictory that I am told, in one case, no damage could possibly have occurred to the parties, unless water would run up hill, so the Minister has deferred deciding in favor of Mr. Chouinard.

CAUGHNAWAGA INDIAN RESERVE.

Mr. DOYON asked, When was Mr. Walbank appointed to survey the Indian Reserve of Caughnawaga, and at whose request? What is the precise nature of the work entrusted to Mr. Walbank? What sums have been already paid to Mr. Walbank, and how much remains to be paid to him? What is the object of Mr. Walbank's operations, and what action do the Government intend to take in the matter? When will the work be completed?

Sir JOHN A. MACDONALD. In the spring of 1882 Mr. McLea Walbank, P.L.S., was appointed to sub-divide by survey the Indian reserve at Caughnawaga, on his own application for the work. He had a letter of introduction from the Hon. Peter Mitchell, and was recommended by the Hon. J. C. Aikins. The nature of the work entrusted to Mr. Walbank comprised, in the first place, the preliminary survey of all of the various undefined plots of land claimed, and in part cultivated, by different members of the Iroquois band, which was a work of very great difficulty, and occupied considerable time, and in the second place, a subsequent sub-division by the regular lines of survey of the reserve into lots containing 30 acres each; also, the investigation of the individual claims to the lands. The amount already paid Mr. Walbank, on account of this survey, is \$16,000. It is impossible to say exactly what farther amount will be required to complete the survey, but it is not expected that very much more expenditure will be incurred, as the sub-division of the land will probably be completed this season. The object of Mr. Walbank's operations is to enable the Department to determine what quantity of land each Indian head of a family on the reserve, and male person of 21 years and over, is entitled to, and to distribute the land among them. As soon as the survey has been completed location tickets will be prepared and issued to each locatee. As already stated, it is expected that the survey will be completed this season.

THE LATE MR. CAMPBELL (RENFREW).

Sir RICHARD CARTWRIGHT. It is my painful duty to call the attention of the House to the loss which has been sustained by the recent death of Mr. Campbell, the member for South Renfrew, which took place yesterday. Hon. gentlemen who have been in this House with the late Mr. Campbell do not require to be told that, although, having entered the House at a somewhat ad-

Sir JOHN A. MACDONALD.

vanced period in life, he did not take any very active share in the debates, he was a man who was noted for his unassuming and retiring character, and also for his devotion to his duties as a member of this House. Unfortunately, this Session has been marked by an unusual number of deaths, and, although in Mr. Campbell's case it was not so unexpected as in the case of the other gentlemen whose loss we had to deplore—the hon. members for Digby (Mr. Campbell) and Restigouche (Mr. Moffat)—still, those of us who met Mr. Campbell in the early part of this Session were very far, indeed, from expecting that we should be called upon to deplore his loss at this period of the Session. Mr. Campbell, I believe, for a great many years was very extensively engaged in mercantile operations. In his own section of the country he always sustained a very high character for probity and honor, and he has left behind him a gap which will be hard to fill in his family and among those who were acquainted with him in that part of the country. I am sure the whole House will sympathise with his family in the loss they have sustained, and will also join in the regret at one of our number having been so suddenly removed from amongst us.

Sir JOHN A. MACDONALD. I can sincerely join in the regret which has been expressed by the hon. gentleman in regard to the loss of our departed friend, Mr. Campbell. Although he was not politically in sympathy with us on this side, everyone of us who had the privilege of knowing him respected and esteemed him, and looked upon him with more than cold regard for his kindly genial manner, his evident sincerity of purpose, and his gentlemanlike, unobtrusive demeanor, which won all parties. I can assure the hon. gentleman who has made these very proper remarks that we on this side thoroughly appreciated Mr. Campbell's qualities, that we liked to see that kindly face, though it was on the other side of the House, and that we deeply regret his loss.

Mr. WHITE (Renfrew). Coming from the county one riding of which was represented by the hon. gentleman who has been referred to by the First Minister and the member for South Huron (Sir Richard Cartwright), it may not be out of place for me to say a word or two on this subject. I have known Mr. Campbell for a great many years, and what the hon. member for South Huron has said, as to his character for probity and honor, I endorse to the fullest possible extent. Mr. Campbell had the highest character for probity and honor in the locality in which he lived, and, although, as the hon. the leader of the Government has stated, I was politically opposed to him, I had learned, having been more closely drawn to him since he came into the House in 1882 than I was previously, to respect that gentleman for the honesty of his opinions; and I can only say that I regret sincerely the circumstances which have called upon us to mourn his loss.

QUEBEC SHIP LABORERS.

Mr. AMYOT. Before the Orders of the Day are called, I would ask the Government if they have come to a decision in reference to the Bill which I presented respecting the ship laborers; whether they will take it under their charge and secure its passing, as it is a matter which is very urgent for Quebec.

Mr. THOMPSON. That subject is being considered, and I will be able to confer with the hon. gentleman later in the day.

COMMERCE WITH FRANCE.

Mr. AMYOT. I would also ask when the Ministers are going to produce the papers respecting commerce with France. I understood from the Secretary of State the other day that they were all ready and would be produced at

once. They have not yet been produced, and we are anxiously waiting for them, in order to get them printed so that the public may benefit by them.

Mr. CHAPLEAU. The return to the Address will be made by the Department of Finance, and I am perfectly sure that permission will be given and the papers will be brought down. The papers are ready, but the order must come from the Department of Finance.

Mr. AMYOT. The Minister of Finance is here—

Mr. CHAPLEAU. I can answer for him.

Mr. AMYOT,—and perhaps he will state when they will be brought down.

Sir JOHN A. MACDONALD laid on the Table certain returns.

Mr. AMYOT. I think I am entitled to an answer. I want to know when these papers will be produced. This House ordered, in 1885, that they should be produced. They are all ready. We are told they will be produced right off. The Government have not, in fifteen days, brought them down. I ask when they will be produced, and I think I am entitled to an answer. The interests I speak about are important enough. If there is any obstacle to the production, let us know it, let the country know it.

Mr. CHAPLEAU. My hon. friend is really not reasonable. I told him I would see the Minister of Finance. The order will be given, and the papers will be produced to-morrow.

DOMINION LANDS ACT AMENDMENTS.

On the Order for consideration of Bill (No. 113) to amend the Dominion Lands Act.

Mr. WHITE (Cardwell). It will be remembered that just before the committee rose on Friday night, my hon. friend from Winnipeg (Mr. Scarth), I think it was, objected to that clause under which people and companies assisting immigrants coming into this country, made advances. His complaint was that they were practically compelled, in order to secure themselves, to take a separate lien for every small advance they might make. He asked for a provision that would facilitate the operation of the law, and the intention of the Government in framing it. I, therefore, ask for the discharge of this Order, and that we go back into committee for the purpose of asking that the following provision may be added to clause 7:

Provided always, that it shall be competent for the persons or company proposing to make such advances to take at once an acknowledgment from the settler for the full amount of the charge proposed to be made, but such acknowledgment shall only operate as a charge upon the homestead to the extent that it may be certified by the local agent upon presentation to him of vouchers or other satisfactory evidence that the advances for which a charge is proposed to be created, have actually been made to the settler.

Hon. gentlemen will remember that as it is now, the local agent is really the umpire who decides whether the charge ought to lie against the land or not.

Mr. MILLS (Bothwell). Does the hon. gentleman intend that shall apply only to future transactions.

Mr. WHITE (Cardwell). Yes.

Mr. MILLS (Bothwell). Then you make no provision for anything that has been done in the past?

Mr. WHITE (Cardwell). No.

Motion agreed to, Bill considered in Committee and reported.

On the second reading of the amendments,

Mr. SCARTH. Before these amendments are concurred in, I desire to say a few words. I have not troubled the House with speeches, and I don't propose to speak at any

length to-day. But I desire to say something on the matters that have been under discussion during the progress of this Bill. Sir, it has been my privilege, before and since the introduction of railways into Manitoba, to travel through every constituency in Manitoba and the North West, and, therefore, I have some knowledge of that country. It has also been my privilege, after having become thoroughly acquainted with the country, to take trips to England and to advise my friends there, and the agriculturists who were not doing well there, to come to our country and accept from us a free gift each of 160 acres of the excellent farming land we have to offer. Therefore, I have some right to say a few words on the matters which have been under discussion. Hon. gentlemen opposite in discussing these matters, have attacked the land policy, the railway policy, the National Policy and the immigration policy of the Government. They have asserted that the progress of Manitoba and the North-West has not been satisfactory; they have asserted that an exodus of over 100,000 settlers has taken place within the last five years; they have asserted that immigration is not coming into that country satisfactorily, and they lay the blame for all this upon the Government. Now, Sir, I assert that the progress of Manitoba has been satisfactory. What is the state of affairs? In 1881 the population of Manitoba was 62,000, in 1886 it was 108,000, an increase in five years of 46,000, or 74 per cent. I think, Sir, that is a very good showing. Hon. gentlemen opposite have compared the increase in our population with the increase in population of the contiguous States of the Union. I say, Sir, this is a most unfair comparison. When the prairie country of the North-West States was opened for settlement, Manitoba was locked in the embrace of the Hudson Bay Company. Settlers were pouring into the North-West States when Manitoba was comparatively unknown. It is a hard task to turn the stream of immigration, but that was the task that had to be undertaken with regard to Manitoba. Further, the North-West States had a home population of 50,000,000 to draw from, when Canada had only a home population of 5,000,000 to draw from. As to the exodus, hon. gentlemen opposite know as well as we do that there has been no exodus from Manitoba or the North-West in the proper sense of that word. They know as well as we do that the immigration returns of the Agricultural Department include the navvies who built the railway, include the "boom" speculators, thousands of sportsmen and sightseers, and I believe I am not wrong in saying that it will be found they include a large proportion of the members of the British Association as being settled in Manitoba now. Hon. gentlemen on the other side of the House are taking advantage of what they know to be a mistake of the Department of Agriculture, to circulate throughout the length and breadth of the world what they know to be wrong, that over one-half of the population of Manitoba have left it within the last five years, either on account of their disgust with the country or their dissatisfaction with the laws that prevailed there. Although I say that the immigration has been satisfactory, that certainly it has not been unsatisfactory, I do not mean to say that we did not expect a much larger immigration than has taken place. But are the Government to blame for our disappointment? I say they are not. Hon. gentlemen on the other side of the House accuse the hon. member for Lisgar (Mr. Ross) and the hon. member for Selkirk (Mr. Daly) of being unpatriotic because they have ascribed the loss of immigration to the repeated bad seasons we have had. Is that unpatriotic? I can state from personal experience, that what those hon. gentlemen say is perfectly correct. I have been the means, fortunately, of bringing in some hundreds of families to that country from Great Britain, and I have never yet heard of one of them advising any of his friends in the old country not to follow him for any reason connected with

land laws or immigration laws or railway laws or the National Policy of the country. They were disappointed when they first came to this country, because after their advent they had a succession of bad seasons, and they wisely wrote to their friends at home not to follow them until they had thoroughly tested the country for themselves and were satisfied with it. Nor in Great Britain, which I have visited several times with a view to bringing out immigrants, did I on any occasion meet with any person who objected to come to this country on account of our land laws or from any discontent with fear of the policy of the Government. But I met everywhere I went, the stories of American agents, and everywhere I heard of them saying that the country was one unfit to live in. When in the Hebrides, those very crofters, with whose coming out, I had something to do, were informed through American agents that the scorching heat of summer and the intense cold of winter made our country uninhabitable. They were informed by those gentlemen that this country was so full of wild beasts, that it would be impossible to leave their children out of doors, and that they would also be in danger of their own lives night and day from Indians. I found those statements circulated everywhere. But those stories are not now being believed, because the crofters who have settled in the North-West—and they are an excellent class of settlers—are now themselves succeeding so well that they are urging their fellow countrymen to follow them. With your permission, Mr. Speaker, I will read extracts from two of the many letters which have been sent by these men to their friends to the whole country, and they have been translated from the Gaelic into English for my benefit. One man, who has got under cultivation about 100 acres, writes in this way:

"In the first place I have to tell you that my family and myself are in good health at the present time. The reason why I delayed writing you was because I desired to give you an account of this wild country, as it was represented to be ere we came to it, full of wild beasts, &c. If such were here it appears that they fled on our arrival, for they never troubled us day or night. Dear friend, I am sorry to hear and read in newspapers from the old country of the belief they still entertain concerning this place."

Here are a few words to which I desire to direct the attention of hon. members on both sides of the House, as showing how a little word may do harm to the country when it will take a great many words to do good:

"I understand very well how that happens, because they are willing to give more credit to one letter that gives a bad account rather than twelve that give a pretty good account of the place.

"I have reason to thank God for the day or night he moved my heart to come here, even though the old country were as good as when I left it. * * * Although each and every year would not yield us a good crop, yet I find no reason to despair, for this is but a new country that may change for the better before long. It is altogether a good place for stock. Another thing you can understand is that when men who come here with neither silver nor gold can prosper so, what may not those who come with their thousands do, and could get all their requirements with their own money. * * * I know the condition of every family who came from Benbecula. There are not more than two or three in whose houses I have not been, and I know they have a pretty good living for the time they have been here."

Here is a letter from another crofter, a settler with a large family, who has done remarkably well since he came to the country. He writes:

"In the first place, I have to tell you that we are all happy in this new country, and we have great reason to be so in several ways. In the first place, we have schools and churches, and these were two things we were missing very much during our first year in this country. Now, as regards the country, we have no reason to complain. Thank God, we are in good health, and, although the weather proved unfavorable to our crops during the last three years, we hope that this year it will prove otherwise. But you need not picture to yourself the poverty of the people here as in comparison with that of the poor of the old world country, for here people have reaped enough, even during the bad season years, to keep them in food during the year, and I believe that those among you who have the best lands in Scotland will not reap enough to keep them in food for half a year, and, in that way, I consider the country far ahead in that itself.

"And although you would hear people giving a bad account of this country, don't believe them, for everyone who is industrious here he is well off.

"DONALD MACDONALD."

Mr. SCARTL

So much for the effect which the policy of the Government has had in retarding immigration. But the policy of the Government and those questions which have been discussed here, were discussed in Manitoba very thoroughly during the recent election. What was the result? In Manitoba and the North-West Territories, out of nine constituencies, eight members were returned to support the Government; one of them by acclamation, six by large majorities, and in the constituency which I have the honor to represent, the Reformers did not dare to bring out a man, but they arrayed themselves behind an Independent who had promised to give the Government a fair support. But I must admit that on one phase of the railway question the people of Manitoba are almost a unit against the Government policy: I refer to the policy of disallowance. Had I not considered that the Government had under their favorable consideration some scheme for meeting the wishes of the people of Manitoba, I would never have been a candidate for Winnipeg. It was not in extremity, as stated by the Minister of Finance, that the hon. member for Selkirk (Mr. Daly) and myself gave the pledges we did to our constituents; it was only because, as I have said, I believed the Government were considering some plan for meeting the wishes of the people of Manitoba. I resent the allusion the Minister of Finance made to my hon. friend and myself; I resent the appeal he made from us to the independent feeling of hon. gentlemen on the opposite side of the House; I resent it as a reflection on my hon. friend and myself, and I state that our actions and our feelings are as independent as those either of the Minister himself or of those hon. gentlemen to whom he appealed. We kept our pledges. We did everything to get the disallowance policy changed. We were voted down by one of the largest majorities given this Session, and in that majority there was a considerable sprinkling of hon. gentlemen who usually vote against the Government. But although I voted against the Government on the question of disallowance, I am not prepared to admit that it is in the interest of Manitoba and the North-West that the Government should be put out of power and that the Reformers should take their places. I have confidence that the able statesman at the head of affairs here will devise some solution of the present vexed question, some solution favorable alike to the Dominion and the Province of Manitoba. Sir, in spite of all drawbacks that the country has had from recent bad seasons, and from the unfortunate rebellion which took place there, I have every faith in its future. I have travelled, Sir, from the boundary to the North Saskatchewan, from Emerson to Calgary, from Lethbridge to Edmonton; since 1880 I have travelled year after year through that great country, and I have had an opportunity of seeing its steady and rapid progress, and I feel certain, Sir, that it will continue to progress in the future. From 1880 to 1883 the crops were good and the country advanced rapidly. From 1883 until now, we have had unfortunate seasons and late crops, but notwithstanding all that, Mr. Speaker, the country has continued to advance steadily. I have seen the grain product of that country increase from 200,000 bushels in 1880, to 4,000,000 bushels in 1886; I have since that same year, seen southern Manitoba, in which I had the pleasure of meeting the hon. member for South Oxford (Sir Richard Cartwright) in 1880—I have seen southern Manitoba grow from a sparsely settled district to a comparatively well peopled district, having railway facilities of every description. The same thing may be said—and almost doubly said—of the beautiful grain-growing country from which the hon. member for Marquette (Mr. Watson) comes. The history of his county has been a history of wonderful progress. Winnipeg, Sir, which I have the honor to represent, and which, in 1880, had only 7,000 people, has to-day, seven years afterwards, a population of 22,000, and the progress of Winnipeg is only commencing. And what, Sir, about Brandon, from which

my hon. friend the member for Selkirk (Mr. Daly) comes? Sir, in 1881, I saw Brandon when it was composed of only one tent, and to-day, five years afterwards, it is a town with 2,000 inhabitants, exporting in one year 800,000 bushels of grain. And what shall be said of those towns which had really no existence so short a time ago as 1881? What shall be said of Verden, Elkhorn, Deloraine, Morden, Moosomin, Regina and Calgary? Why, Sir, all these are now thriving towns and villages, with every evidence of a settled country behind them, a country with good farms, rich fields and fast increasing herds. The crop reports now coming from Manitoba and the North-West are most encouraging. I believe, from all I can hear, that we are going to have an excellent harvest. I trust, Sir, that the days of depression have passed away, that there is now about to recur a succession of seasons such as we used to have, and that years of plenty and peace are now upon us. I have a firm belief in the future of that country. I believe that, ere many years are over, the members of the Opposition, as well as the members supporting the Government—Canada and the Empire as well—will glory in a progressive and prosperous North-West.

Mr. CHARLTON. It is, perhaps, unfortunate that a discussion of the policy of the Government in the North-West should be opened up again, but, certainly this side of the House is not responsible for that course being taken. I cannot allow the remarks of my hon. friend from Winnipeg (Mr. Scarth) to pass entirely unnoticed. That hon. gentleman, I think, Sir, has made a very lame attempt to justify his position, as a supporter of the Government, and at the same time to condemn that Government for not having given to the North-West what he says he expected them to give; and he informs us at the same time that had he not believed the Government would have given a measure of justice to the North-West, he himself would not have been a candidate in Winnipeg. Now, Sir, the hon. gentleman is unquestionably right when he informs the House that some measure of dissatisfaction does exist in the North-West, in relation to the railway policy of the Government. There is no doubt a measure of dissatisfaction existing in the North-West so great, that the hon. gentleman finds it necessary to attempt to carry water on both shoulders. He must stand well with his constituents, and he must stand up here and condemn the Government with bated breath, and in a qualified sense, for not giving the North-West what it demands, and he must at the same time inform his constituents that he does not deem it proper to vote against the Government except on this one question—that is, he will not use his influence in such a way as to render it effectual with the Government. That is the position of all the members from the North-West, except one—the hon. member for Marquette (Mr. Watson). These gentlemen come here to this House representing a vast region which feels itself very seriously aggrieved by the policy of the Government with regard to a matter of the greatest importance to themselves. Their constituents have, so far as we can judge, given the most unequivocal expression to their sentiments and demands with reference to this matter. They are represented in this House by gentlemen who, in my opinion, fail to discharge their duty to their constituents, because they continue to support the Government; they are the most reliable class of supporters of the Government—the very Government that denies to their constituents what is considered in the North-West a most essential matter in their behalf. Sir, if the eight members in this House from the North-West and Manitoba, supporting the Government of the day, were earnest and honest in their attempts to give to the North-West such a railway law as the North-West demands—if they were earnest in their desires to compel the Government to cease its disallowance

policy, they have the means in their hands to do it. Let those gentlemen array themselves against the Government; let those eight members say to the Government: We must have justice for our constituents; you must recede from the position you occupy on the disallowance question, or we will recede from our support, and they would secure what they demand and what their constituents desire. But in failing to do that they demonstrate to this House and to the country that there is no sincerity in their professions, that they do not mean what they are talking about. To come here and demand that the Government should do justice to the North-West, and, at the same time, support that Government in every measure it places before Parliament, and merely refrain from casting a vote in favor of the policy of the Government on that one question, is not the way to secure from the Government what is demanded. These gentlemen have too much intelligence to tell this House that they are honest and determined in the position they take, that the North-West shall have justice. It is nothing of the kind; it is a shallow pretence on their part that they are attempting to secure from the Government that which their constituents demand. I can assure them that if they were in earnest, if they were to array themselves against the Government, and say to the Government: We will vote against you on every measure until you do us justice, the Government would recede from its position.

Now, the hon. gentleman in the course of his remarks made one or two statements that I think it would have been as politic—if he had had regard to the interests of his friends—to have said nothing about. He accuses us of taking advantage of a mistake made in the statistics issued by the Department of Agriculture. Now, does the hon. gentleman pretend to throw discredit on the statistics furnished the country by that Department? Is the charge to be made by a supporter of the Government from that side of the House that the statistics furnished by one of the Departments of this Government are unreliable and misleading? Well, I think, perhaps, it is true, but I hardly expected to find that charge made by an hon. member supporting the Government. In answer to the enquiry: Are the Government to blame for the failure to settle the North-West more rapidly, are they to blame for the lack of prosperity that exists in that country, he says: No. He asks: Is there dissatisfaction in the North-West with the land policy of the Government? Is there dissatisfaction with the railway policy of the Government? Is there dissatisfaction with the National Policy as affects the North-West? And he answers: No.

Mr. SCARTH. I rise to correct the hon. gentleman. He has stated what I did not say. I did not say that there was no dissatisfaction with the railway policy of the Government.

Mr. CHARLTON. Very well, I am glad to hear that the hon. gentleman himself is not so blind to the condition of sentiment in the North-West as to make the assertion that there is no dissatisfaction in that country with the railway policy of the Government. Will the hon. gentleman say that there is no dissatisfaction in the North-West with the National Policy?

Mr. SCARTH. Yes, I say so.

Mr. CHARLTON. Well, the little knowledge I have of the North-West, after having been in that country and mingled with the people in Winnipeg, Portage la Prairie, Brandon, Calgary and other points, convinces me that there is great dissatisfaction with the National Policy; that it is one of the great weights that rest on the people of that country; one of the great drags on its progress; one of the grievances the people have against this Government. I heard that on every hand. I heard that the duty of 35 per cent. imposed on agricultural implements bore most heavily on the people. I heard

also that the burden was not measured by the duty of 35 per cent., but that the people were obliged to enter goods at very much more than their actual cost. I was informed of one case where a steam threshing machine, costing \$700, had to be entered at \$1,200, and that the duty of 35 per cent. had to be paid on the larger amount. I heard that instances of this kind were numerous—that in fact it was rarely the case that the importer of any implement from the United States was allowed to enter it at its cost, the result being that the real duty imposed on those implements amounts to from 40 to 50 per cent. There is great dissatisfaction in the North-West with the National Policy. There is, as the hon. gentleman admits, great dissatisfaction with the railway laws, there is also great dissatisfaction with the land laws; and the Government, since 1882, have administered those laws in such a way as not to promote the interests of the country. Their colonisation scheme, their former scheme of dividing the country into railway belts and asking \$5, \$4, \$3, \$2 or \$1 per acre for them according to their location, their present policy of asking double as much for lands as the United States Government does, and restricting homestead entries while the United States affords unlimited facilities for homesteading—all these things are creating dissatisfaction in the North-West. No man, who is conversant with the facts, can stand up here and say that there is not deep-seated dissatisfaction among the people of the North-West, and that the land laws, the railway laws, the National Policy, and the general policy of this Government as it pertains to the North-West—

Mr. SCARTH. How came they to return eight members out of the nine?

Mr. CHARLTON. I will tell the hon. gentlemen how I account for it, \$125,000 worth of seed grain would have some influence.

Mr. DALY. What has that to do with me?

Mr. CHARLTON. The Gerrymander Act, unlimited boodle.—

Mr. DALY. There is no boodle, and you know it.

Mr. CHARLTON. The help of the revising officer.

Mr. DALY. No, Sir.

Mr. CHARLTON. No man will say that this Government stands here to-day by the expression of the free, unfettered will of the people. It stands here by virtue of the Gerrymander Act, the Franchise Act, boodle, and all the means that this Government know so well how to use to keep themselves in power, open voting in the North West, and every form of intimidation they could use to thwart the public sentiment has been used in that country; and we have to-day in this House, as the hon. gentleman assures us, eight members who will not vote for the interests of their constituents, eight members who will basely surrender the interests of their constituents, eight members who will lick the hand that applies the rod to their constituents, eight members who are incapable of using their independence here, and who, under the thin veil of opposing the Government on one measure—

Some hon. MEMBERS. Order, order.

The Acting SPEAKER. I think the hon. gentleman is going too far.

Some hon. MEMBERS. What is the point of order?

Mr. IVES. The point of order is this: that the hon. member has no right to say that there are eight members of this House who will not vote in the interest of their constituents.

Sir RICHARD CARTWRIGHT. There is no point of order to be taken against that. The hon. gentleman is not imputing a motive; he is stating a fact, and a patent fact.

Mr. CHARLTON.

Mr. WHITE (Cardwell). The hon. gentleman states that there are eight members in this House who have not the honesty to vote in the interest of their constituents. He has no right to impute any such motive.

Mr. MULOCK. This is the first time, in my limited experience, that I have observed the Speaker of the House take the point of order himself. There was no point of order taken until Mr. Speaker himself rose.

Mr. WHITE (Cardwell). I beg your pardon.

Mr. MULOCK. I beg your pardon. There was an unseemly noise from a number of hon. gentlemen.

Some hon. MEMBERS. Chair, Chair.

Mr. MULOCK. I have a right to discuss this point of order.

Some hon. MEMBERS. Chair, Chair.

The Acting SPEAKER. I would say this in answer to the hon. gentleman: I think, representing the Speaker, that I have a perfect right here, if the hon. gentleman is out of order, to state so, even if my attention was not called to it; but my attention was called to it by different gentlemen on this side of the House. The point of order, as I understood it, though it was not pointed out, was this: I was following the hon. gentleman, and I understood him to say, speaking of eight hon. members of this House, that they were not independent in this House. I did think that was out of order. As to the point of order taken by the hon. member for Richmond and Wolfe (Mr. Ives), I would be disposed to decide against it, because I think it perfectly proper for a gentleman to express an opinion that other gentlemen in their votes do not represent the interests of their constituents, because that is a matter of opinion.

Mr. MILLS (Bothwell). Mr. Speaker, I think—

Some hon. MEMBERS. Chair, Chair.

Mr. MILLS (Bothwell). I am going to speak to the question of order.

An hon. MEMBER. It has been decided.

Mr. MILLS (Bothwell). But hon. gentlemen do not know. I believe that, on many occasions, we have had motions for the issue of writs for the election of members in place of men who occupied seats on the floor of this House, on the ground that they were not independent, and that in consequence of their not being independent their relations to the Government—

Mr. IVES. I rise to a point of order. The hon. gentleman is discussing a question of order that has already been decided.

Mr. MILLS (Bothwell). I beg to say that this is the first time in the history of this House that saying that a member is not independent of the Administration is declared to be out of order. I think such a declaration may be made in regard to any member. I think we may say that an hon. gentleman on that side of the House has such relations with the Government that he is not in a position to vote against them, and not being in such a position he is dependent on the Administration; and such a statement is not in violation of any rule of Parliament. On the contrary, it is strictly in accordance with parliamentary usage to make such a charge if there be any evidence for making it; and it does seem to me that it would be a very serious interference with the freedom of debate if an hon. member were not at liberty to make such a statement. I have heard the First Minister again and again charge hon. gentlemen who were supporting the Administration that preceded his with being a mechanical majority.

Sir JOHN A. MACDONALD. That may be.

Mr. MILLS. With being a servile majority.

Sir JOHN A. MACDONALD. No; mechanical majority, I admit.

Mr. MILLS. The hon. gentleman has gone so far as to declare he would not move for the appointing of a committee because he could not expect to get justice at the hands of such committee. I submit that any such ruling as that made by the hon. gentleman would convert parliamentary proceedings into a farce.

Mr. MULOCK. I think there is one point that ought to be well cleared up. Whenever a point of order is raised in this House, hon. members should, before judgment is delivered by the Speaker, have the right to discuss the point of order. That right was not accorded to me in regard to the point of order lately raised. Out of respect to the acting Speaker, and bearing in mind that he was only temporarily occupying the Chair, I at once yielded to his desire to deliver judgment before hearing argument, but there is such a disposition on the part of hon. gentlemen opposite to make the Speaker decide before hon. members have the time to discuss the points raised, that the Speaker should now declare whether, before his decision is given, we have not the right to discuss points of order raised, and not be, as on this occasion, in an unparliamentary, I might say rude, manner, cried down by hon. gentlemen opposite. I remember, on a former occasion, the same difficulty occurring when the then Speaker was in the Chair. I am not saying that on this occasion the blame should attach to the gentleman who occupied the Chair, but I say blame should attach to hon. gentlemen on the Government side who took advantage of his inexperience to gag legitimate and fair discussion of a point of order.

Mr. WHITE (Cardwell). I desire to call the attention of the hon. gentleman to the fact that there was no disposition on the part of anybody to prevent discussion of the point of order before the ruling of the Chair. It was after the Speaker had given his decision.

Mr. MULOCK. No, it was not.

Mr. WHITE (Cardwell). And that was the ground upon which the hon. gentleman was called to order. As to the suggestion of motives or anything of that kind, that is entirely unworthy of the hon. gentleman. We thought, and we may have been wrong, that the hon. member for North Norfolk (Mr. Charlton) was going farther than would have been permitted this Session, in his manner of referring to certain hon. members, and we simply called the Speaker's attention to it, and asked for his ruling.

Mr. MULOCK. May I explain?

Sir JOHN A. MACDONALD. There is nothing before the Chair.

Sir RICHARD CARTWRIGHT. At any rate, there is a motion to adjourn before the Chair. It certainly would be expedient and desirable that, in questions of order, the opinion of members of this House should be heard. Now, we are all disposed to respect the ruling of the Speaker, and I am glad to say, for my part, that you, Mr. Speaker, if I may be pardoned for saying so, have, I think, displayed a very proper spirit in endeavoring to keep the debate in good order, although that has sometimes brought you into collision with hon. gentlemen on both sides. I think it is expedient, also, that the Speaker should be allowed a reasonable time to decide on points in dispute, and that cannot be obtained without his hearing members on both sides. That was not done in the case of the hon. member for North Norfolk (Mr. Charlton).

Sir JOHN A. MACDONALD. According to the English practice, it rests very much with the Speaker whether discussion should be allowed or not. If a point of order is

raised, he has the right to decide at once, without hearing argument, if he has no doubt as to the ruling he should give. There is, of course, the ultimate result of appeal to the House, but that has never been invoked in England in modern times. If the Speaker is satisfied as to the ruling he should give, he may decide at once. If he has the slightest doubt, he will not only express the doubt, but will seek the assistance of the House and endeavor to get the opinions of older members who are authorities in such matters. I was not present when the question arose, and did not hear the language objected to, but I heard the decision of the Speaker. The hon. member for Bothwell (Mr. Mills) rose after that, and I heard cries of order raised because there was objection taken to the hon. gentleman's speaking when the question, so far as the Speaker could dispose of it, was disposed of.

Mr. MILLS (Bothwell). Before the hon. gentleman came in, the hon. member for North York (Mr. Mulock) was addressing the Chair on the subject, and the temporary Speaker rose and gave a decision before the hon. gentleman had an opportunity of making his observations.

Mr. LANDRY. I think there is a mistake about that. The hon. member for North York (Mr. Mulock) rose to speak on a point of order on which I had already given a decision, as I understood it; but another question of order, in the meantime, had been raised by the hon. member for Richmond and Wolfe (Mr. Ives) on a point of order, and when I found there was no discussion on it I decided against the point raised. The point on which I had already decided was the one on which I understood the hon. member for North York (Mr. Mulock) was speaking.

Mr. MULOCK. I had the floor when the House called on the Speaker, and was addressing the Chair.

Mr. SPEAKER. The duty of the Speaker is to maintain dignity and decorum in the debates, and whenever an expression which he deems an improper one is used in the debate, it is his duty to call on the hon. member who made use of the objectionable expression to withdraw it. He need not allow any debate in this case, because if he did, it would only have the effect of creating more disorder and acrimony, and making the offence worse. When a question of procedure, however, is raised, it is his duty to call for the opinion of hon. gentlemen who are experienced in parliamentary practice. It would not be, however, consistent with the dignity of the House to follow such a course when the question that arises is a mere question of decorum in debate.

Mr. CHARLTON. I must express regret for having caused this debate on the point of order, and if I have erred against the rules of decorum which should prevail in this House, I did so unintentionally, and regret having done so. I can say most cordially, Mr. Speaker, that your efforts in the position you fill so honorably have always been in the direction of maintaining good order, and that you have put forth your efforts in a spirit of impartiality. While, perhaps, different opinions may exist in some cases upon points of order, the House will always feel disposed to second your efforts. I repeat that if I have said anything which is at all offensive, or which can reasonably be considered as offensive to any member of this House, it is a matter of regret to me. I feel, however, very strongly that the conduct and the attitude of the Government supporters from Manitoba and the North West is not one that is consistent with their professions of opposition to the Government policy of disallowance, and I assert, what I said before, that, if these gentlemen were sincerely desirous of exercising influence upon the Government, and were acting with a single eye to the interests of their constituents, they would inform the Government that they must withdraw their support until their demand is acceded to; but, to support the

Government, except upon the one particular measure that the Government is sure of a majority upon, is—I do not know whether I am entitled to say that it is evidence of political insincerity in their action, but it certainly is not calculated to promote the interests of the North-West or the influence upon the Government which eight members of this House, banded together, could exert if they desired to secure what the North-West claims to be its right, to build railways with its own money for its own purposes. They can, without doubt, secure that concession by arraying themselves against the Government. A difference of sixteen votes on a division would be such a serious matter to the Government that they would not deliberate long before they would desist from their disallowance policy, if those eight members from Manitoba and the North West would insist upon it. I say to them, and I say to their constituents, if my voice will reach so far, that the power is in the hands of those gentlemen to secure what their constituents want, but, if they continue to support the Government on every other question, the Government will be deaf to their demands and will not grant what they ask. I was sorry to see the hon. member for Winnipeg (Mr. Scarth) decrying the country from which he comes, and telling us here, where the language which is uttered goes to the whole world, that the cause of the trouble, the reason why that country is not settled up more rapidly, is not that the policy of the Government is at fault, but that they have had no good harvests since 1883.

Mr. SCARTH. I did not say so. I said they had not had the abundant harvests they had had formerly.

Mr. CHARLTON. I think the exact language that he used was that they had failures in the crops since 1883.

Mr. SCARTH. No, I said they had had partial failures. I said that they had produced 4,000,000 bushels in 1886, as compared with 200,000 bushels in 1880.

Mr. CHARLTON. The hon. gentleman may say that now—

Mr. SCARTH. It is the hon. gentleman who is misrepresenting me. That is the position of it.

Mr. CHARLTON. I will not call on the hon. member to withdraw his words, though I think I am entitled to do so. He distinctly stated that the trouble was that they had had failures in their harvests since 1883. I think, if I were a member for that county or a resident there, that I would act in a more patriotic manner, because I do not believe that the normal condition of things in the North-West is a failure of harvests. I believe that it is a great and a rich country with marvellous agricultural resources, and I should be the last to stand up here, knowing that every word I uttered would be reported in the *Hansard*, and represent that the country had suffered agricultural disasters in four successive years, and that the consequence was seen in the paucity of settlement, in the small ratio of progress, and in the fact that the country was almost at a standstill. I hope we shall hear less of this from the members for the North-West. The members upon this side of the House have often been taken to task for alleged unpatriotic utterances; but I have never heard, on this side of the House, any statement made in regard to the North-West which is so damaging in its character, in regard to the future of that country, as the statements which have been made to-day, and which have been made previous to this date by members from the North-West in regard to the country which they represent. I think they had better give us the good features of the country, and cease this attempt to justify the Government by denying that its policy has been wrong, and by accounting for the difficulty by other causes than the real causes. Let us not hear any more about the causes of the trouble being frost, and drought, and failures of harvest,
Mr. CHARLTON.

leaving the impression that that country is unfit to be the habitation of civilised men.

Mr. DAVIN. The hon. gentleman (Mr. Charlton) who has just sat down has, this evening, taken up the same key as on former occasions. Before I had the honor of a seat in this House, I heard him from the gallery, and, whenever anything concerning the North-West was in debate, he and his colleagues in this House have posed as the praisers of the United States and the runners down of Canada.

Some hon. MEMBERS. No.

Mr. DAVIN. I say yes.

Mr. CHARLTON. I rise to a point of order. I call upon the hon. gentleman to withdraw his statement, or to substantiate it by the records.

Mr. DAVIN. I do not think—

Some hon. MEMBERS. Point of order.

Mr. SPEAKER. I did not catch the eye of the hon. gentleman, and I would like him to tell me what his point of order is.

Mr. CHARLTON. The hon. gentleman stated that he had listened to myself and other hon. members on this side of the House in past years from the gallery, and that the uniform burden of our song was to decry the North-West, to laud the United States, and to advise settlement in the United States.

Some hon. MEMBERS. No.

Mr. SCARTH. Try to tell the truth.

Mr. DAVIN. I will put myself in order.

Some hon. MEMBERS. Order.

Mr. SPEAKER. Has the hon. gentleman concluded his statement?

Mr. CHARLTON. I may not have used the exact words, which were used by the hon. member—

Mr. SCARTH. You do not usually do it.

Mr. CHARLTON. My point was that he should substantiate his statement by reference to the reports.

Mr. SPEAKER. I do not see that there is any question of order. What the hon. gentleman asserts may not be sustained in point of fact by argument or by the public records, but I do not see that there is any question of order.

Mr. DAVIN. The hon. member is like a man put on the triangle who cries out before the lash is applied. I have said very little at present to him, but, if there is a man in this House who must have a great deal of courage—I will not say effrontery, because that, perhaps, would be unparliamentary—to accuse eight men, who are as independent as any men who ever sat in this House, of basely and tamely submitting to a Government, and not having the honesty to vote in the interests of their constituents—if there is a man who ought not to have dared to make that statement, it is the hon. member opposite to me. Ten years ago, he stated in the House, in a moment of honesty, his real opinions in regard to a great question in which this country became deeply interested. His leader on that occasion, the hon. member for East York (Mr. Mackenzie), would not take up his views. What did he do? Did he do what he asks the eight members from Manitoba and the North West to do, cross the House and support my right hon. friend? Not at all. He remained silent—silent? No, indeed he did not, but he went and advocated principles diametrically opposed to the principles which he held, and for ten years, and even now,

“ His honor rooted in dishonor stood,
And faith unfaithful kept him falsely true.”

So that, if there is a man living who ought not to have dared to accuse those eight gentlemen of basely and tamely

submitting to a Government, it was he. Why, only the other night, when I happened to advocate the cause of the North-West here, the hon. member for Brant (Mr. Paterson) got up and paid me the perilous attention of his compliments, and said I had spoken as if I were independent of the Government. In regard to any question affecting the North-West, as everybody knows, I believe that the eight gentlemen are free, as I certainly am free to express my opinions here whether they are in exact accord with the Government or not. But let me say this, Mr. Speaker, of the right hon. gentleman whom I have the honor to follow, that he does not require a slavish following from those who happen to support him.

Mr. LANDERKIN. You will find that out.

Mr. DAVIN. Before I had a seat in this House I differed from the Government, and when the Conservative papers attacked me for differing from the Government, the right hon. gentleman, to his honor be it said, wrote up to me saying: "Don't mind what they say; express the views of the people around you. It would be a very unfortunate thing, indeed, if you were to echo Ottawa." Sir, that is a leader a man may be proud to follow. With reference to this question, I did not speak the other night, because I did not wish to delay the House. But, as regards the sentiment in the North-West, I may say that I have lived there for five years, and I have communicated with the farmers. My hon. friend from East Assiniboia (Mr. Perley) will bear me out in stating that farmer after farmer, although many of them have had difficulties, if you speak to them on political questions and as to the relative bearing of both parties in the North-West—many of these farmers having been in the North-West for eight or ten years—they will reply to you: For God's sake never let that Grit Government come back again to steep us in misery as it steeped us before. A number of my old constituents held a meeting and sent a telegram to me the other day. Many of them are against disallowance, but you may be precious certain, bad as they may feel about disallowance, they would feel far worse about a Grit Government. They may dislike disallowance, but they would hate like poison to have a Grit Government, because they suffered from it before, and they know very well what its bungling policy would be.

Mr. MILLS (Bothwell). I would like to ask the hon. gentleman whether every one of his constituents has not gone into that country since the Grit Government went out?

Mr. DAVIN. I shall answer the interruption of the hon. member for Bothwell. I like to be interrupted by the hon. member for Bothwell. He is an agreeable gentleman, I believe, if we really and thoroughly understood him. But he always reminds me of what Horace Walpole said of Dr. Johnson, that he was an agreeable fellow at bottom, but a disagreeable fellow at top. So, Sir, taking a piercing glance into the bottom of him, I am rather pleased than otherwise that he interrupts me. Now, I will answer his question. A great majority of my constituents went into the North-West since the Grit Government ceased to be in power, but a large portion of my constituents, and of the constituents of my hon. friend from East Assiniboia, were in Manitoba under the Grit Government. They know what the dealing of the Grit Government was with Manitoba, and above all they know what was the dealing of the hon. D. M. They know what the dealing of the hon. member for Bothwell was with the North-West and Manitoba, and their inclination is to echo: "No. D. M." They do not want anything more like that. All I can tell the House is that although there may be trouble amongst the people of the North-West, although many of them have a certain restlessness that belongs to western people, and a certain independence of mind that belongs to our broad prairies, nevertheless, speak to them of the political issue, and although in small details they may differ from

the Government, their two strongest sentiments are: First, devoted loyalty to the hon. gentleman who leads the Government. Another sentiment that they hold strongly is, that the late Government, the Government that the right hon. gentleman beat, the Government that, after coming into power with an overwhelming majority, in five years not only dissipated that majority, but lost complete hold of the country, and so completely mismanaged affairs, and so completely exhibited themselves to the country as a jejune and barren party, that the country spewed them out of its mouth; they hold strongly, Sir, that it would be a national calamity if that Government should ever come back to power. There is another sentiment, a feeling of fear lest the North-West, or any portion of it, should ever again come under that sinister rule. So I think I have answered the interruption of my hon. friend. Now, Sir, I wish to call the attention of the House, during three minutes of serious discussion—

Some hon. MEMBERS. Hear, hear.

Mr. DAVIN. I understand those cheers. I have had experience of the politeness that has been dealt out to us from the other side. I have had also to be polite. But I want now to deal with the question that has been raised by the hon. member for North Norfolk (Mr. Charlton). He lays down a proposition that I will discuss if the House will bear with me, as it will probably interest some members of the House. The question is not often discussed in the newspapers, and I propose to discuss it very briefly here. I refer to the relation of a party man to his party. The hon. member for North Norfolk lays down, by implication, the proposition that if a member differs in one detail from his party, although he may be at one with the party on every other principle, although he may believe in their whole programme in other respects, although he may have the utmost confidence in the leader of the party, although he may believe that it is the greatest need of the country that that man and his colleagues should be in power, nevertheless, if he differs in one detail, he has got to vote against the Government, and he has to "array"—to use the expressive and picturesque language of the hon. member for North Norfolk—he has to "array" himself against the Government on every conceivable question. So that in order to be an honest man on one question he has to be a dishonest man on twenty questions. That is certainly most admirable from the point of view of logic. I met the hon. member, in 1882, on many a platform, and he was a pleasant opponent, too, in North Norfolk. We went from platform to platform, and we fought the battle there. I know he is a great man at figures. I know his methods. I know how clever and how subtle he is. And he is very logical, but sometimes his logic goes lame—like Jacob, it has been touched in a weak sinew and it goes lame. His logic is that in order to be honest a man who differs from a government on one question has to vote against it on every other question, that is to say, he has to vote against his conscience on about twenty or thirty questions in order to get himself right before the forum of conscience. Why, Sir, the logic is absurd. Now, let us pass from the logic to the policy. Suppose the hon. member for Winnipeg—I know it is so—has the greatest possible confidence in the right hon. gentleman who leads the Government, but suppose he has no confidence whatever in the hon. member for North Norfolk, who would certainly be in any Government that would supplant the present Government. Suppose he has no confidence in the hon. D. M. Suppose he has no confidence in the man who, I am sorry to say, is not in his place in this House, a man for whom I have great respect, and whom one may respect without believing in him as a statesman. Under these circumstances, what would be thought of the hon. member for Winnipeg, what would be thought of his

loyalty to the country at large, and of his loyalty to his constituents, if, because he differs from the Government on details of administration, he should try to put out the Government which he believes to be efficient, which have proved themselves capable in a hundred deeds, who have shown themselves to be a statesmanlike Government and who are led by a right hon. gentleman of whom I may say that, if the acts of statesmen were rewarded as are the acts of soldiers, his breast would be covered with stars. Are you going to say that the hon. member for Winnipeg, under these circumstances, because he differs with the Government on that one question, should at once try to put that Government out? Now, Sir, I will take the House into my confidence, and I will tell them what I did. When I came down here I was, in principle, opposed to disallowance—

An hon. MEMBER. Tell all.

Mr. DAVIN. Yes, I will tell you everything I can; there is nothing in my breast that I need not show. Mr. Speaker, when I came here, when I found the hon. member for Marquette (Mr. Watson) was about to make disallowance a question of want of confidence, I said to my friends, some of whom sympathised with me, if it comes to a question of want of confidence in the Government, it is all perfect nonsense, you must vote for the Government. Why? With the Government supported by a powerful majority, nothing could be effected except to present your nice conscientious views on the question of disallowance. So that I lay down this proposition, that when a party man differs on a detail from his party, such as this matter is, the proper thing for him to do, if he agrees with the party in its general programme, is to support his party, to keep his party in power so that it may carry out a beneficent general policy, and for the time being allow that small side issue to rest. I have long ago thought that question out, and it is a very delicate and nice question. It is a very different thing if the difference occurs on a large question. When the honorable knight was Finance Minister, and when, on account of his peculiar way of managing the finances of this country, the country was running down hill, when it was impossible to get him or his leader to give way, because there was no plasticity in that Government, no give whatever in them, they stood as rigid as if made of cast iron, and they said with such convictions as they had they would govern the country, though those convictions were not formed by ordinary reasoning applying itself to the facts of life but as though they had been taken in and they did not know how to assimilate them—when that was the case it would have been a very proper and right course for the hon. member for North Norfolk (Mr. Charlton) to have, in his own language, arrayed himself against his party. It would have been a right thing for him, on such a large question, to have come out from among them, and to have fought them and even beaten them, because it would have been a good thing for the country if he had defeated them. There was not a time in the history of those five years, when it would not have been a happy thing for the country if the Government had been beaten. I do not want to occupy the time of the House, but I could show, if it were necessary, that millions of dollars would have been saved to the country if the defeat which overtook that incompetent Government in 1878 had been anticipated by a couple of years. It would have been one of the greatest blessings that ever befell this country. But I believe it was providential to allow the country to have five years of such benighted rule, in order that when a good Government came into power the people would know how to appreciate it.

Mr. LANDERKIN. We have had considerable discussion about the North-West, and we have heard imputations from that side of the House cast on members on this side, and hurled back with scorn as they deserved to be, when

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hon. gentlemen opposite make accusations against hon. members on this side with respect to the North-West. I have had a seat in this House a good many years. I have not heard hon. members on this side decry their country or any portion of it; but I remember a gentleman saying that he remembered, in the gallery, hon. gentlemen on this side of the House denouncing this country. I enquired what year that occurred. He said that it was 1878. I said: "The Tories sat on this side of the House at that time." And the matter was then explained to him. The hon. member for Assiniboia (Mr. Davin) seems to think it was a misfortune to the country when the Government of Mr. Mackenzie came into power. But the Mackenzie Government never started a revolt in the North-West, which was what all the boodlers there wanted in order that they might make money. The Mackenzie Government maintained peace and order, not only in the North-West but in every part of Canada. When I find such reference made to the venerable statesman whose record is well known in this country, and whose record is one of which any man might feel proud—when I see a whippersnapper like this endeavor to impugn the character of Mr. Mackenzie in this House, it makes me boil.

Some hon. MEMBERS. Order, order.

Mr. LANDERKIN. What other name is he deserving of? Here is a gentleman trying to cast a stigma on the Hon. Alexander Mackenzie whose government was a credit to him and this country.

Some hon. MEMBERS. Order, order.

Mr. TAYLOR. I rise to a point of order. I ask whether an honorable gentleman has a right to refer to an hon. member as a whippersnapper.

Some hon. MEMBERS. Order, order.

Mr. LANDERKIN. As that expression appears to be not approved by some hon. members, I beg to withdraw it. The hon. member for Assiniboia (Mr. Davin), who comes from the North-West, I believe the Pile of Bones is his constituency, has addressed the House. He has an organ there, and I have it before me. I believe it is a subsidised organ, and that this Government has paid him liberally for advocating their interests in this great paper. I will read some of the articles in it:

"Regina has held a meeting for the purpose of assisting Mr. Davin with his several Bills pertaining to the North-West. Medicine Hat should also take a step in this direction."

That is a very delicate hint.

"Since we have a representative in the House and one who is strongly advocating North-West interests, we should lend him all the assistance and encouragement that is in our power."

That is an editorial.

Mr. DAVIN. I rise to order. The hon. gentleman is reading something as having been written for my paper, whereas it is not in my paper in the strict sense of the word, but it is quoted into my paper. My paper never originated it, and when I saw it quoted there I was very angry about it.

Mr. LANDERKIN. That is all very well. The portion I quoted from—

Mr. SPEAKER. I should like the hon. gentleman to remember that the question before the House is whether the amendment to the Land Bill shall be read a second time. As time is very precious, I may mention that while the hon. gentleman's remarks may be in order he should be able to state how his present argument has any bearing on the question now before the House.

Mr. LANDERKIN. I was coming to Mr. Davin's Land Bill, and there is some information in it which may enable us to come to a correct conclusion and may, perhaps enable

the Minister of the Interior to engraft on his own Bill, some provisions of that Bill. The paper goes on to say :

"Mr. Davin is doing more than all the other North-West members combined, and it is the duty of his constituents to lend him a helping hand."

This is among the editorial notes in the *Regina Leader*—

Mr. DAVIN. I again rise to order. The hon. gentleman states what is not the case. He says that is a note in that newspaper. It is quoted there, and he ought to have stated it, and it is quoted from the *Medicine Hat Times*.

Some hon. MEMBERS. Order, order.

An hon. MEMBER. The hon. gentleman is quite in order.

Mr. LANDERKIN. Take your licking like a man—I believe that is your own expression—

"The people in eastern Canada didn't know the North-West Territories were any more than a name, but they know it now, and that through Mr. Davin. If Mr. Davin does not succeed in the passing of his Bills, he will at least wake up the old sleep heads of the east to the fact that the people up this way are to be heard. Give him a lift. He is Conservative, but that makes no difference, or should not, to liberal-minded business men."

Now I notice in the *Winnipeg Sun* that "Mr. Davin shirked the vote on the disallowance question."

Some hon. MEMBERS. Oh, oh; no, no.

Mr. LANDERKIN. And I notice in the *Winnipeg Free Press* that "Davin evidently shirked the vote."

Mr. MITCHELL. Oh, surely not.

Some hon. MEMBERS. Question, question.

Mr. LANDERKIN. Now, I think that when the hon. gentleman, a new member of this House, gets up and impugns the character of a man like the hon. member for East York (Mr. Mackenzie) who led the Government, and led it well for five years, he does that which ill-becomes him. And I do not think that he boasts just as big a heart as an Irishman should boast, when he impugns a man who is sick, one who has worn out his life in the service of his country.

Mr. DAVIN. Read that; read that.

Mr. LANDERKIN. Sit down.

Some hon. MEMBERS. Read, read.

Mr. LANDERKIN. Mr. Speaker, I have read enough of that sort of trash, and I do not wonder at your calling me to order for reading out of this paper. Now, I have noticed, during the discussion of this Bill, some of the strong evidences of loyalty which are spoken of by hon. gentlemen on the other side. Well, do you know, whenever they begin to talk about their loyalty it makes me wonder. It makes me feel as if there was a good reason for their doing so, ever since they burned the Parliament House at Montreal; ever since that time they prate everlastingly about their loyalty. The hon. member for Hochelaga (Mr. Desjardins) said the First Minister had begun his career at the burning of the Parliament buildings at Montreal. This is what was said by one of the hon. gentleman's own supporters, and he added that his sun would go down at another burning. You will all remember how history repeated itself—how the Tory party met at the Champ de Mars and passed annexation resolutions, and now on every occasion when they get up, in order to try to wipe away the stain of those things, they prate about their loyalty and about the disloyalty of hon. gentlemen on this side. Why, we could well afford to dare and listen to such talk. There never was a Liberal of this country tainted with disloyalty. Everybody knows that it is not necessary for us to get up on every stump in this country, and every time we speak in the House, and say, like hon. gentlemen opposite, that they are loyal. Of course their loyalty is suspected; those who are not possessed of any great amount of virtue themselves are the ones who

are everlastingly boasting of their virtue. When we see further evidence coming down, the burning of the Parliament House, the annexation manifesto, and coming down to later periods, when they betrayed the Governor General of this country, and proved disloyal to the constitution of the limited monarchy by which we are ruled, by traitorously betraying the Governor General of this country, and when we heard them state in this House that, if British connection had to suffer by certain parts of their creed and policy, then they said with that ever-gushing loyalty of theirs: So much the worse for British connection. They will carry out their policy whether it is loyal or disloyal, and their policy and aim is to keep their party in power. Speaking of the North-West, they refused to give the ballot to the people of the North-West, and it is well known that the North-West is populated largely by officials of the Government. If they took away the Government officials from the North-West, if they took away everybody who got seed wheat in that country, the hon. gentleman's majority would dwindle down to nothing; the hon. gentleman knows it well. But the Government did not allow them to exercise the ballot in the North-West, as the people do in other parts of the Dominion, and why? I say—if it is parliamentary to say it—that it is a cool attempt to snatch from the people of the North-West the liberties that they should enjoy—an attempt to coerce the people, by refusing them the ballot which is possessed in other parts of the Dominion. And, why did they do so? It was because they knew too well that if they had not refused the ballot to these people, the burning eloquence of my hon. friend would not be heard in this House. They knew that if they did not have an open vote in that country, he could say to the office holders there: If you do not sustain the Government then off goes your head. Now, I did not intend to take up the time of the House, but I say that if this discussion has not been a very profitable one, if the time of the House has been wasted, the Government should disallow their supporters on that side and prevent them from rising up, after a debate is passed, and trying to make speeches to bolster up positions which they knew, when the Bill was before the House, were untenable and against the best interests of the people they represent. Now, at the ninth hour, after the Bill has passed, after the Government has been sustained on that question, they get up and try to bolster their position—a position which is illogical and not very much to their credit.

Mr. DAVIN. I rise to a personal explanation, and if I am out of order, I will, if necessary, put myself in order by moving the adjournment of the debate.

Mr. MITCHELL. Get some one else to do it.

Mr. LANDERKIN. I have no objections to allowing him to speak. I will give him every opportunity of putting himself right.

Mr. DAVIN. The hon. gentleman has made a statement that my paper contained certain articles which he read. I may tell the House that those remarks were taken entirely from the *Medicine Hat Times*. When I saw them quoted in my paper I thought they showed, on the part of the editor, a great want of judgment and—

Mr. PATERSON (Brant). Are they true?

Mr. DAVIN,—and I telegraphed at once the following:—

"SIR,—The paragraph from the *Medicine Hat Times*, quoted in the *Leader* last week, is unjust to Messrs. Perley, Davis and McDowall—

An hon. MEMBER. Why didn't you include the Manitoba members?

Mr. DAVIN. He had spoken about the North-West members, and I did not identify the Manitoba members with it, or the same remarks would have applied.

"all have taken the greatest interest in North-West legislation and have pressed North-West interests and the Bills before Parliament with equal zeal and effect.

"NICHOLAS FLOOD DAVIN."

Mr. WHITE (Cardwell) moved the third reading of the Bill.

Mr. WATSON. I will only occupy the time of the House for a short time. I was not surprised to hear the member for Winnipeg getting up and making a speech on disallowance, even at this late stage. I had hoped, and his constituents at Winnipeg had hoped, that at the time that question was before the House the hon. gentleman would have risen in his place and used his influence to induce the Government to abandon that policy in this House. But it appears that the hon. gentleman could not muster up enough courage then to say one word against the Government, although he had pledged himself to vote against them on that question of disallowance. I had referred to the fact that the hon. member for Winnipeg had informed the electors of that city that he was in communication with the right hon. leader of the Government, and had received cipher telegrams from him to the effect that the policy of disallowance would be discontinued. I will read what I stated at the time. I was explaining what I would like to explain to-night if there were time. I could explain why it is that there are eight members from Manitoba and the North-West here supporting the Government, and only one supporting the Opposition. It would take some time to do it, but I could give reasons which would satisfy a majority of the members of this House that it was not by a fair expression of opinion on the part of the people of Manitoba and the North-West that eight members were elected to support the Administration. At that time I was explaining why the hon. member for Winnipeg was elected to this House. I said:

"We had him stating in Winnipeg that he was in correspondence with the right hon. gentleman, and was receiving cipher telegrams which he stated to be to the effect that the policy of disallowance was to be discontinued."

That is what I stated. The hon. member then rose and said:

"I rise to a point of order. I never made any such statement as the hon. member for Marquette has alleged."

Now, the hon. gentleman rises to day in all his dignity, and says that he does not wish to have the Finance Minister apologise for his vote—that he had pledged himself to his constituents to oppose the Government on their policy of disallowance, and he does not thank the Minister of Finance for apologising for the vote he was forced into giving. I do not wonder at the hon. gentleman's doing this, because his constituents, the Conservatives of the city of Winnipeg, have actually threatened to ask him to resign his seat as their representative, because of the position he has placed himself in on that question. I was surprised to hear the hon. member for West Assiniboia (Mr. Davin) talk in the way he did about disallowance, and about what he has done and would do for the country, when he admits that a large number of his constituents are in favor of the policy of disallowance, and in fact he pledged himself in his address to the electors that he would oppose the Government on that policy. But what did he do? Why, he shirked the vote; he was not in the House when it was taken; and he has not explained why he was not in the House on that particular day. It appears to me that those gentlemen are ready to sacrifice their country for the sake of party. They talk about this disallowance question as a trifling question. It is a question which is to day so exciting the people of Manitoba that their Local Legislature has voted \$1,000,000 for the purpose of building a railway to the boundary line.

An hon. MEMBER. That is what he calls a detail.
Mr. DAVIN.

Mr. WATSON. Well, it is such a detail that I would take this opportunity of informing hon. gentlemen opposite that if the people of Manitoba are interfered with in what they consider their just rights, there will be serious consequences.

Sir JOHN A. MACDONALD. Take care.

Mr. WATSON. The First Minister says take care, but what I am stating here, I am stating on my responsibility as a member of this House, and as a good citizen of Canada; and if the people of Manitoba are exercising what we believe to be a constitutional right, I have a right to make this statement. The people of Manitoba have expressed themselves in that way through the press, and through the Local Legislature, and I am perfectly safe in making that statement here to-day. I am not speaking only for my own county; I am speaking for the city of Winnipeg, and for the whole of Manitoba and the North-West, when I make that statement. The hon. member for Winnipeg has made reference to other parts of the policy of this Government, and to the effect that they have had on that Province. He says the people are perfectly satisfied with the tariff policy. I will not take time to enumerate the different articles which I might enumerate to show that that policy is not in the interest of Manitoba. Ours is not a manufacturing Province, and has no interest in a high protective tariff. The Local Legislature, some two years ago, appointed a committee to enquire into the working of the tariff in that Province; and that committee reported to the Legislature that the tariff bore excessively heavy on the settlers of the Province. That fact should suffice to answer the statement of the hon. gentleman. It is not necessary for me to take up the time of the House in referring to matters which were referred to by some hon. gentlemen opposite to-day, and which were discussed on a previous occasion. I am glad to see that the hon. member for Winnipeg has mustered up enough courage, though several weeks after he should have spoken, to express his opinion in the House on the question of disallowance.

Motion agreed to, and Bill read the third time and passed.

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

After Recess.

IN COMMITTEE—THIRD READINGS.

Bill (No. 79) to consolidate and amend the Acts relating to the Winnipeg and Hudson's Bay Railway and Steamship Company, and to change the name thereof.—(Mr. Scarth.)

Bill (No. 117) respecting the Western Counties Railway Company.—(Mr. Mills, Annapolis.)

Bill (No. 118) respecting the Guelph Junction Railway Company.—(Mr. Innes.)

Bill (No. 124) respecting the Ontario Pacific Railway Company.—(Mr. Rykert.)

Bill (No. 132) further to amend to Act incorporating the Canada Atlantic Railway Company.—(Mr. Perley, Ottawa.)

Bill (No. 133) respecting the Manitoba South-Western Colonisation Railway Company.—(Mr. Haggart.)

Bill (No. 134) to enable the St. Martin's and Upham Railway Company to sell its Railway Property.—(Mr. Skinner.)

Bill (No. 129) respecting the Primitive Methodist Colonisation Company.—(Mr. Wallace.)

Bill (No. 108) for the relief of Marie Louise Noel (on a division).—(Mr. Small.)

Bill (No. 144) for the relief of John Monteith (on a division).—(Mr. O'Brien.)

Bill (145) for the relief of Fanny Margaret Riddell (on a division).—(Mr. Tupper.)

DIVORCE—RELIEF OF SUSAN ASH.

Mr. SMALL moved the second reading of Bill (No. 135) for the relief of Susan Ash (from the Senate).

Mr. THOMPSON. The Bill which is now before the House is a Divorce Bill which has been sent down from the Senate, and I suppose the House is aware that it raises some nice constitutional questions which are somewhat new, new at all events in the discussion of Bills of Divorce. So far as I am personally concerned, I intend, as regards this Bill, to adhere to the practice I have pursued ever since I have had the honor of a seat in this House and vote against this Bill, because I believe divorce, whether by judicial decree or by statute, should not be granted. I am aware, however, that the legal questions that have been raised in connection with this Bill, and the procedure which is involved in the granting of the prayer of the petition, somewhat affect the regularity of the proceedings of Parliament, and establish a very important precedent as regards future applications of the same kind, and I have a duty to discharge to the House which is altogether disconnected with my personal views on the question of divorce. I recognise it to be my duty to state to the House, so far as I am able to form an opinion on the subject, how the application would be regarded if the subject was one now for judicial enquiry. For I understand the principle on which Bills of this kind have proceeded, ever since this practice has been established, is this: that they will be granted on the same evidence and under the same circumstances as applications would be granted before a judicial tribunal in the Mother Country which had jurisdiction over such a subject. The House is aware, I presume, from previous discussions on questions of this kind, that before 1858 in England there was no tribunal which had jurisdiction to grant a divorce. Offences against the marriage relation were subjects of ecclesiastical enquiry, and divorces from bed and board, as it is commonly called, of course, were then granted, but ecclesiastical courts had no jurisdiction to dissolve the marriage tie. In 1858 the court of divorce and matrimonial causes was established in England, and power was given to that tribunal, in certain cases and for certain specified reasons, to grant a dissolution of the marriage tie, and by the Judicature Act that jurisdiction has now become vested in the High Court of Justice and is administered in what is known as the Probate Division. I propose in the discharge of my duty this evening, with regard to giving an opinion on this subject, to state to the House what my view is as to the right of the petitioner under the circumstances detailed in the evidence in support of her petition, if she were an applicant to the Probate Division of the High Court of Justice in England instead of an applicant to the Parliament of Canada for the relief which she now seeks. I am bound to say to the House, notwithstanding the disposition which I have to resist by my vote a Bill of this description, that I am forced to a conclusion that under the facts detailed in the evidence here she would be entitled to a decree dissolving the marriage tie under the procedure which obtains in England and under the principles which have been administered since 1858, first in the Court of Divorce and Matrimonial causes, and, subsequently, in the High Court of Justice.

Mr. PATERSON (Brant). Do you say she would be or she would not be entitled?

Mr. THOMPSON. I say she would be entitled. I will state briefly what the facts of the case are as I understand them from the evidence which has been sent here from the Senate, and I will mention, as briefly as possible, the princi-

ples which it appears to me would guide a judicial tribunal in coming to a decision on such a question. It appears that Susan Ash was married in the city of Kingston, Ont., on 24th March, 1868. It is not material, I suppose, to the legal question which arises, but I may state the fact incidentally, that she was then a very young person of the age of only sixteen, and that the person whom she married, and who was named Manton, was a person very much her senior. She seems to have left her home somewhat peculiarly, her mother having died and her father having married subsequently, and it seemed to have been the desire of her parents that she should make an early marriage, and the marriage was very hastily made, and, as I have said, at the age of sixteen. She went to live with her husband in Kingston, and remained with him five or six weeks. She left her home with his consent, and went to visit her father in the city of Montreal. On her return to her husband, at the expiration of five or six weeks, she found that he had given up the business in which he was engaged, had sold off his stock in trade, had sold his furniture, had parted with his house and gone to board. He provided her, however, with board for a short time. But it is alleged on behalf of the petitioner, and not denied, that he was from that time forward addicted to most intemperate habits, which resulted in her believing that it was impossible for her to continue to live with him. She states that, as time progressed, his habits of indulgence increased, until she was unable to live with him any longer. She then went to live with her father, in the city of Montreal, and lived there until his death, which took place in 1878. It appears that she left her husband in Kingston, in consequence of these habits, in consequence of his ill-treatment of her and his indulgence in drink, but she left him against his will. The next circumstance which transpires in the evidence is that, in the year 1874—the marriage having taken place in 1868—her husband, Manton, married a person named Hatch in the town of Stirling, Ont., on the 3rd of September, 1874; and the parties to the second marriage, that is, Manton and his second wife, removed at once to the city of Boston, remained there living as husband and wife, and had a family. It appears that, between the time that his wife left him in Kingston and went to live with her father in Montreal, Manton obtained a divorce from the present petitioner in the State of Massachusetts. He appears to have gone there and applied for a divorce on the ground that she had deserted his home. That is the only plea upon which he obtained a divorce, and the case which the petitioner now presents, and on which she founds her application for this Bill is this: she says the second marriage of her husband was a bigamous marriage, not justified by the divorce of Massachusetts, and the question, I take it, which Parliament has to consider, before giving assent to this Bill is whether it will recognise the divorce obtained in the State of Massachusetts as a complete dissolution of the marriage which had taken place in Canada. Now, Sir, in the first place, I admit that it is not the most material element for consideration that the marriage took place in Canada, because, if the parties subsequently became domiciled in another country, they submitted themselves and their marital status altogether to the laws and tribunals of the country in which they went to live; and what I contend is most important in this case is this principle: that before any tribunal can alter the marriage status and dissolve a marriage of the person who applies for that relief—in this case Manton, who obtained the divorce in the State of Massachusetts—must have been domiciled in the State of Massachusetts, in order to entitle him to that relief, in order to give validity to a divorce obtained in Massachusetts, and in order to entitle the divorce in Massachusetts to any recognition here. That principle, I take it, is thoroughly established in English law, by a long series of decisions, and by text-writers who

treat of divorce. It is most important that it should be fully observed, because, to depart from that principle would enable persons collusively, and in bad faith, to go from one country to another, merely for the purpose of obtaining a divorce; and, having obtained a divorce in a foreign country, to set that divorce up against their lawful husbands or wives in this country, and to contract what our law would only consider a bigamous marriage here upon their return. Now, the question arises as to whether it appears in this case that there was any jurisdiction, on the part of the court in Massachusetts, to give Manton a divorce against his wife? As I have said that ought to be decided, in my opinion, by the question whether he was, when he applied for that divorce in Massachusetts, domiciled there. If he went on a temporary visit to Boston, or if—which would be still worse—he went merely for the purpose of applying for a divorce there, I have no hesitation in giving my opinion that his decree so obtained in the United States would be entirely nugatory here, and would not be recognised in any court under the British system of jurisprudence. When we look at the evidence which has been sent from the Senate, we find the bald facts as I have stated them to the House: first, the marriage at Kingston; second, the divorce obtained in Massachusetts, and third, the marriage contracted here in Stirling with the second wife. There is no evidence whatever in the case, to show that at the time he obtained the divorce in the State of Massachusetts he was domiciled there, or was ever there at all, in fact, until after the second marriage was contracted, or was then otherwise than as a citizen of Canada. If such be the case, the result would be that the second marriage in Stirling, would be a bigamous marriage, and Susan Ash, his first wife, would have, in a judicial tribunal, a fair right to a divorce, on the ground that he had committed bigamy and the other offences upon which divorces here are founded. Now, the only evidence that I find to show that he was domiciled in Massachusetts is simply the recital in the decree for the divorce, calling him “of Boston,” and I submit to the House, on the authorities that I will present, as briefly as I can, in order to lead the House to a clear understanding of my view, that that statement is no evidence—is nothing more than it professes to be, namely, a simple assertion that, at the time he made his application in Massachusetts he was there; not an evidence of any kind that he had a domicile there. And when I am speaking of a domicile, I am not speaking of a domicile in any technical sense. I would accept any evidence whatever which would lead the House to the conclusion that he was there in good faith, for the purpose of taking up his residence—for the purpose of making his home; for, as some of the authorities put it, it is not necessary that there should be a domicile in a technical sense, that it is enough that the matrimonial home of the parties was in the place at which the court undertook to exercise jurisdiction. But, as I have said, there is absolutely no evidence that his home was there, that he was resident there, that he was there for anything but the temporary purpose of obtaining the divorce; and there is the presumption to the contrary from the fact of his having been married in Kingston and of his having contracted the second marriage in Stirling, and the only clear evidence that he made his home in Massachusetts at all is the evidence that he went there to live after he contracted his second marriage. Now, upon that subject, I would cite to the House one or two authorities, because I know that it is a matter which has engaged the attention of my brethren of the legal profession in the House, and involves, as I have said, important principles as regards the future action of the House on Bills of this description. The authority of an eminent text writer, as regards the effect of domicile upon an application for divorce, is contained in a few words; I am referring to the standard work of Dicey on Domicile. He says:

Mr. THOMPSON.

“1st. The Divorce Court has under exceptional circumstances jurisdiction to dissolve a marriage where the parties are, or where one of them is, at the commencement of the proceedings for the divorce resident, though not domiciled in England.

And I would emphasise here, what I have already stated, that in speaking of the necessity for domicile in the place where the application for divorce is made, I am not using the word domicile in a technical sense, nor in any other sense than that of the real home or residence, as distinguished from a mere presence in the place where the tribunals undertake to exercise jurisdiction. Then, he says:

“2nd. The Divorce Court has jurisdiction to dissolve a marriage between parties not domiciled in England at the time of the proceedings for divorce where the defendant has appeared and not under protest.”

In this case Susan Ash did not appear in the court in Massachusetts, and, therefore, did nothing to bring herself within that second provision by submitting herself in any sense to the jurisdiction of the Massachusetts court.

“3rd. The Divorce Court has jurisdiction to dissolve an English marriage between English subjects on the petition of a wife who is resident, though not domiciled, in England.”

That latter point I will refer to again hereafter, because it is necessary to establish it on behalf of this petitioner, before she can have any right to come to this Parliament for relief. Now, Sir, the subject, as I have said, has been very fully considered in a long series of decisions. In the first place there is a decision of three very eminent judges, in 1878, in the case of *Niboyet vs. Niboyet*, decided in the Probate Division of the High Court of Justice, and afterwards in the Court of Appeal in England; and that decision goes the farthest of any modern English case in support of the recognition of the power of a tribunal to give a divorce without something in the nature of domicile. The circumstances were these: The parties had been married at Gibraltar. They were French, and they were living in England only because the husband was there in the diplomatic service as a representative of France. He was, as a member of the diplomatic service, fully resident in England, although by the technical principle of constitutional law a diplomatic officer retains his original domicile and belongs to his own country, even though he goes abroad in foreign service. Therefore, the husband was legally and technically domiciled in his own country, in France, but he was really and in good faith resident in England; and it was held that England, although not the domicile of the parties in the technical sense, was their matrimonial home—their residence, and that this gave the court jurisdiction there. In support of that proposition, I might mention that when this case was subsequently reviewed in the House of Lords, in the case of *Harvey vs. Farnie*, in VIII Appeal Cases, it was upheld on the ground that England, although not the domicile of both parties, was the *bonâ fide* residence of both parties. In this case, it cannot be said, from anything the evidence contains, that Massachusetts was the *bonâ fide* home, or in any sense the home of either of the parties. It does not appear to have been even the home of the husband. Now, there is a dissentient opinion in that case of *Niboyet vs. Niboyet*, delivered by Lord Justice Brett, which has been almost universally accepted as the better opinion of the two opinions which were pronounced; and that opinion goes so far as to uphold the rule that there must be something more than a *bonâ fide* residence in the country to whose tribunal the application for divorce has been made—that there must be, in the fullest sense the domicile of the parties there. But I would cite one passage from the judgment of Lord Justice James, who was one of the majority of the court, and who took the narrower view that the jurisdiction of the English tribunal could be upheld on the ground that England was merely the residence of the parties, for the purpose of showing that in his view it was necessary, in order to give the court jurisdiction, that there must be even something more than the mere technical domicile. It is necessary, he holds, that the real residence, the “matrimonial home” as

it was called, of the parties be within the state which undertakes to exercise the jurisdiction. Lord Justice James says, at page 6 :

"If I were asked to define, and it were necessary to define, what in the particular case of matrimonial infidelity constitutes a matter matrimonial in England at the time when the Act was passed, I should define it to be a case of infidelity where the matrimonial home was in England."

And here I say, applying that decision, to give the courts of Massachusetts jurisdiction, it should have been the place where the matrimonial home was :

"The matrimonial home, in which the offended husband ought to be no longer bound to entertain the unchaste wife, or in which the chaste and offended wife ought to be no longer bound to share the bed and board of the polluted husband—the matrimonial home, the purity of which was under the watch and award of the Church there."

Further on, at page 8, he says :

"In the first place, it appears to me to be a violation of every principle, to make the dissolubility of a marriage depend on the mere will and pleasure of the husband, and domicile is entirely a matter of his will and pleasure. It would be very desirable, no doubt, that a judicial decree of dissolution of a marriage affecting the status of husband and wife, a decree *in rem*, should be, if possible, recognised by the courts of every other country, according to the principles in international comity. But is such a result possible? Would any French court recognise the dissolution of a French marriage, because the French husband had been minded to establish his domicile in England?"

I am citing that for the purpose of showing that even the majority of that court decided that it was sufficient that the matrimonial home should be in England, although technically the domicile was not there. This required something more—that there should be not merely domicile in England, but *bonâ fide* residence there in order to give the English courts jurisdiction. At page 13, I will cite a passage from the dissentient judge, Lord Justice Brett. I can cite it with the more confidence, because the text-writer, to whom I have referred, has distinctly affirmed that this was the better opinion of the three, that the others were opposed to well established *dicta*, if not to principles, and because, when the case subsequently came to be reviewed in a later case, in 1882, to which I may call the attention of the House, the Law Lords were exceedingly careful to avoid directly affirming the extensive principle that even the matrimonial home was sufficient in order to give a court jurisdiction. Brett, L. J., says :

"The jurisdiction of a country exercised, whether by legislation or by its courts, over the personal status of the subjects of another country who are merely present in it, or are merely sojourning in it, or are merely cited to it"—

And this man cannot be said to have been anything more than merely present in the State of Massachusetts, according to the evidence.—

"is not admitted by the country of which such people are subjects, or by other foreign countries."

Now, these people were the subjects of Canada. This man was merely present—I am giving his case the best of the evidence—in Massachusetts. The woman was only cited there and was never present, and Brett says such presence "is not admitted by the country of which such people are subjects or by other foreign countries as sufficient to give jurisdiction." If, therefore, the courts of any country should assume, by a decree of divorce, or any other decree referring to the status of a married person, to alter the status of a foreigner not domiciled in that country, the decree would not be considered as binding by the courts of another country. According to this authority, the decree of the court of Massachusetts is not a decree which would be recognised by another country without stronger proof than we have here of the court having jurisdiction over the persons, through the husband being there domiciled, in the technical sense of the term. The case came up for the consideration of the House of Lords, in 1882, in the somewhat celebrated case of *Harvey vs Farnie*. In that case the decision was briefly this :

"The English courts will recognise as valid the decision of a competent foreign Christian tribunal dissolving the marriage between a domiciled native in the country where such tribunal has jurisdiction, and an English woman, when the decree of divorce is not impeached by any species of collusion, or fraud. And this, although the marriage may have been solemnised in England, and may have been dissolved for a cause which would not have been sufficient to obtain a divorce in England."

Applying the text of that decision to this particular case, it would amount to this, that the Canadian courts, or, in this instance, the Canadian Parliament "will recognise as valid the decision of a competent foreign Christian tribunal (such as the court of Massachusetts), dissolving the marriage between a domiciled native in the country where such tribunal has jurisdiction." That is to say, if we had divorce courts, they would, as would the courts of England, recognise in this particular instance a divorce granted in Massachusetts, although not for a cause which would justify a divorce in our country or in England, provided it was made on the application of a citizen in Massachusetts, domiciled there, and not under any other circumstances. I will not detain the House by reading more passages in this decision. All through it is based on the principle, that, although the divorce was not, in that case, made in England, it was recognised in England, because it was made in Scotland in relation to a Scottish subject, a person domiciled there. There must be one of two things, to express it a little more fully than did the text which I cited at the outset. There must be a domicile in Massachusetts to make this divorce recognisable here, or there must be evidence that the home, the residence, as distinguished from the mere presence of the person, was in the State of Massachusetts, at the time the divorce was applied for by him. Against the case of the petitioner, this principle is set up: that the domicile of the wife is always the domicile of the husband; and that if we can find anything in this case to show that the husband was domiciled in the State of Massachusetts, then we must conclude that the court has jurisdiction there, not only over him, but over her. I answered, in the first place, by anticipation, that there is no evidence he was ever domiciled in Massachusetts or even residing there; there is no evidence that he was more than merely present there, in the sense in which these authorities say mere presence is not enough to give them jurisdiction. In *Pitt vs. Pitt*, of House of Lords cases, page 640, there is a distinct *dictum* by the Lord Chancellor, that, as regards the rights of the wife, they are not prejudiced by the principle of the law that the domicile of the husband is that of his wife. The general principle of the law that the husband's domicile is that of his wife, is founded, in the first place, on the general rule that the husband and wife are one, and, in the second place, on the general principle which recognises the Christian duty of the wife to take up her residence with her husband. But the House will understand that a case which presents features such as this case does, which presents the feature of the husband ill-treating his wife, compelling her absence from his home, and then his going abroad, in bad faith and in violation of his marriage duty, to seek a home elsewhere, is not the ordinary case of a husband taking up his home in a foreign State for the purpose of making his residence there, in good faith. The Lord Chancellor said in the case of *Pitt vs. Pitt* :

"If it had been necessary to arrive at a different conclusion as to the fact of his domicile, I should still have had the greatest possible difficulty in holding that the domicile of the husband was, in a case of this kind, to be regarded in law as the domicile of the wife, by construction or by attraction, so as to compel the wife to follow the husband, and to become subject, for the purpose of the divorce, to the jurisdiction of the tribunal of any country in which the husband might choose, even for that purpose alone, to fix and to declare that he intended to acquire an absolute domicile."

Lord Kingsdown, in the course of the same case, said: it is true, that he did not entertain the doubts which the Lord Chancellor did; but, in the latter case of *Harvey vs. Farnie*, decided in 1882, and which I cited a few moments ago, it is

distinctly laid down, in the course of the decision, that the wife does not, by the principle that the husband and wife are one, or by reason of the law of duty which compels her to live with her husband, forfeit the rights which she has to assert against him, when he is acting in violation of his marriage duties. Now, the question arises whether she, by virtue of the principle that there must be a domicile and a *bona fide* residence within the jurisdiction of the tribunals to which the party seeking the divorce applies, must not show she has a domicile in this country, now that she is applying for a divorce by Parliament. I think that she has a domicile here, and has a right to apply for a divorce here, according to the principles recognised by the English authorities. It is true, her husband now is fully domiciled in the United States. Immediately after the second marriage he went there to live with his second wife, and they have a family in the State of Massachusetts; where, I presume, he now lives. It cannot be said that, when he was living in a bigamous state, as I have shown he was, if I am right in the proposition which I have already laid down, her domicile must still follow his, and that she is bound to go to the State of Massachusetts and to live with a person who has contracted a bigamous marriage according to the laws of this country. And the American law, as well as the English law, and the law of this country, shows that her domicile is that of the country of which she is a citizen, in such a case. A very distinguished authority, Bishop, in volume 2, section 125, lays down these propositions, which establish, I think, that the wife has a right to come to the tribunals of this country in which divorce is dealt with, and to apply for this divorce:

"The general rule is familiar that marriage creates a unity of the parties which gives them one domicile, that the husband has the authority to determine where it shall be, and that consequently the wife's follows his and his does not change with hers. But this rule, like any other ought to be and commonly is, limited by the reasons on which it rests; as for example, a wife may, in proper circumstances—as where she is abandoned, or acquires a settlement separate from her husband. So, where married parties are living under a judicial separation, or divorced from bed and board, the domicile of the wife does not follow the husband's. Now, when the law authorises a suit between a husband and his wife for divorce, and makes the jurisdiction over it depend among other things upon domicile, there is an irresistible implication that, if she needs a separate domicile to give effect to her rights, or if his case requires her to have one to make his effectual, the law has conferred it on her. And, in addition to this argument, we have the proposition already appearing, that the reason why her domicile follows his is not now in operation; and, as the reason has ceased, so should its consequence. It would not be necessary to regard the wife's separate domicile complete for every purpose; but it is a *quasi* domicile for the special purpose of divorce. More minutely, and in other aspects of the question, if a husband commits an offence entitling a wife to a divorce, she not only is discharged thereby immediately, and without judicial sentence, from her duty to dwell with him, but she must abandon him, or the cohabitation will be condonation, barring her of the remedy. In other words, she must establish a domicile of her own, separate from his, though it may, or not, be in the same judicial locality with his. Then the law, which required this of her, cannot turn round and say it is not hers. Moreover, the reason for making his domicile hers has ceased. The courts may well, and they do, decline to accept this result on a collateral issue, but in principle it is imperative in the divorce suit."

Then, at section 127, he says:

"If the parties are living in different States, and the statutes of the husband's State require the applicant for divorce to be domiciled therein, can the wife, relying on the rule that the domicile is hers, sue him for divorce in his own jurisdiction?"

That is, could Susan Ash go to the State of Massachusetts and, relying on the defendant's domicile being there, apply for a divorce on the ground that the original divorce was void?

"In principle he, denying the offence, cannot at the same instant maintain, should he be disposed, as he will not be, that the offence has qualified her to have a separate domicile. But there is a difficulty on her side. She alleging and proving his guilt, shows herself competent to have a separate domicile; and, when the fact appears also that she is abiding in the other state *animo manendi*, all ground for holding the husband's domicile to be hers is excluded. In fact and in law it is not hers. Such is the doctrine of principle. In authority, this question in most of our States is not settled. But where a husband deserted his wife in Massachusetts, in which State she continued to reside, himself removing to New Hampshire, the court of his new domicile refused to accept it as

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his wife's for divorce, holding in her suit there that it had no jurisdiction. 'When the husband,' said Fowler, J., 'abandoned his wife, necessity of separate and independent existence gave her a separate residence and domicile; and, when he came into this State, leaving her in Massachusetts, her domicile remained there with her, and there it still continues.' And so it has been held in North Carolina, in Missouri and in Wisconsin. A State ought not to forbid any person, wherever residing, to sue one of its domiciled citizens for a breach of the marital status, yet, in our country, for the same reason that plaintiffs are required to reside in the State a given number of years before the suit is commenced, so also should be defendants where a non-resident is plaintiff."

So that, according to the law of the United States itself, if this woman were able to establish that the second marriage was bigamous, that it gave her a right, under the laws of the State of Massachusetts, to a divorce against her husband, and the original divorce was void, as I have contended, for want of jurisdiction, she would be excluded from the courts of Massachusetts because she has her domicile in Canada and has no status to apply to the courts in Massachusetts. The same rule was foreshadowed by Lord Justice Brett, when he decided in 1878, in the case of *Niboyet vs. Niboyet*, that

"The case of an adulterous husband deserting his wife by leaving the country of his domicile and assuming to domicile himself in another"—
As this man left Canada and assumed to domicile himself in Massachusetts—

"might seem to raise an intolerable injustice, but we cannot help thinking that in such case, if sued by his wife in the country in which he had left her"—

As he is now being sued by Susan Ash—

"he could not be heard to allege that that was not still the place of his married home, *i. e.*, for the purpose of that suit, of his domicile."

If I am right in that, this is the only place to which an application could be made by her for divorce. The subject came indirectly under the notice of our own courts, on an appeal from one of the courts in the Province of Quebec; and a good deal has been said in another place in the course of the discussion of this Bill, as to the decision of the Supreme Court of Canada, and the principles which it has been asserted were decided there—I refer to the case of *Stevens vs. Fisk*, in which it was decided, principally by the judgment of Mr. Justice Gwynne—that the foreign divorces obtained in the United States must be recognised by all Canadian courts. I am glad to say, for the safety of our own community, that no such principle was asserted or foreshadowed in any degree by the learned judge in his judgment, which I hold in my hand. It was the case of a marriage which took place in the State of New York. The two parties were citizens of New York, and were domiciled there when the application was made. All that the majority of the court decided, and all that Mr. Justice Gwynne decided in his elaborate and very able judgment was that, inasmuch as the domicile, at the time of the marriage and at the time of the application for the divorce, was the State of New York, the courts of New York had jurisdiction, and that the decree of that court must be recognised wherever it was produced. He says:

"Now, although the ordinary rule is, that the domicile of the wife is the place where her husband has his domicile, yet it is an established exception to this rule in American authority, that, for the purpose of instituting a suit for divorce, the wife may have a domicile separate from that of her husband."

I cite this case in order to show that, assuming that the other branch of the argument is correct, and she has established a case on which a divorce could be granted, this point is clear as to her right to apply here.

"In the case of *Cheever v. Wilson*, 9 Wallace, 108, it was decided by the unanimous judgment of the Supreme Court of the United States that the rule is, that the wife may require a separate domicile whenever she may do so, that the right springs from the necessity of its exercise, and endures as long as the necessity continues, and that the proceeding for a divorce may be instituted where the wife has her domicile. In *Harteau v. Harteau*, it was said by the Supreme Court of Massachusetts (*Pickering*, 181-5) that the law will recognise the wife as having a separate

existence and separate interests and separate rights, in those cases where the express object of the proceeding is to show that the relation itself ought to be dissolved or so modified as to establish a separate interest, and especially a separate domicile and home, otherwise the parties would stand upon very unequal grounds, it being in the power of the husband to change his domicile at will, but not in that of the wife.

"In *Calvin vs. Reid* (5 Smith, Pennsylvania) it is said: 'The unity of the person created by the marriage is a legal fiction, to be followed for all useful and just purposes, and not to be used to destroy the rights of either, contrary to the principle of natural justice, in proceedings which, from their nature, make them opposite parties.'

"Mr. Wharton, in his work on private international law, section 46, says:

"That the rule that the wife's domicile is that of her husband, it is now conceded on all sides, does not extend to cases in which the wife claims to act, and by law, to a certain extent and in certain cases, is allowed, adversely to her husband."

"Mr. Bishop, in his invaluable work upon marriage and divorce, states the rule, as collected from the decided cases, thus:

"When a law authorises a suit between a husband and his wife for divorce, and makes the jurisdiction over it depend among other things upon domicile, there is an irresistible implication that, if she needs a separate domicile to give effect to her rights, or if his case requires her to have one to make his effectual, the law has conferred it on her."

So far, the learned judge has referred to American authorities. He now proceeds to the case of *Deck vs. Deck*, which is an English authority, and he says:

"It has been decided in England that under the provision of the English Statutes, 20-21 Vic., chap. 85, it was competent for the divorce court there to entertain a petition for divorce at the suit of an English woman married in England to an Englishman who had left and gone to the State of New York"—

Transposing the words that decision means that it is competent here to entertain a petition for divorce at the suit of a woman as to a Canadian marriage between Canadians, when the husband has left her and gone to the State of Massachusetts—

"where he acquired a domicile, and had married again there, and upon service of process in the suit upon the husband in the United States to make a decree for the dissolution of the marriage."

Then, for the purposes of this application, there is the authority of Dicey, based on these decided cases, that the Divorce Court has jurisdiction to dissolve any marriage between English subjects, on the petition of a wife who has a residence, though not a domicile, in England; in other words, that the Canadian tribunal has, between Canadian subjects, a right to dissolve marriage on petition of a wife who has a residence here, though she were not domiciled here, as I suppose it can hardly be pretended this woman has not been. I have to ask the forgiveness of the House for having taken up so much time. My excuse has been a desire to ascertain in what way we should proceed in cases of this kind, and the sense of duty which was recognised by my learned friend who intimated the other day when the Bill came up, that I was expected to make a statement of my opinion, and I have no doubt that other hon. gentlemen will state their opinions. Without detaining the House any longer, I would state my opinion in brief to be this: That this was a Canadian marriage between Canadian citizens; that there is no evidence whatever that there was any domicile or residence in Massachusetts which had given any right in law to the court there to dissolve the marriage tie; that, therefore, for all the purposes of these proceedings, the court of Massachusetts had no jurisdiction and its decree cannot be recognised in this country; if it had no jurisdiction, Manton violated his marriage duties and incurred penalties by contracting a second marriage; that second marriage is the valid ground for her to apply for a divorce. I am merely giving, with regard to these points, my opinion as to the state of the English law. And it is of course entirely optional with every member of this House to vote as he pleases upon the question of whether any divorce ought to be given in any case. I only refrain from voting for this Bill for the reason that I should give for voting against any Bill for the dissolution of a marriage tie.

Mr. DAVIES (P.E.I.) The hon. gentleman needed not to have offered any apology to the House for presenting his clear and lucid opinion upon the Bill now before us. I have the misfortune to differ with him on some of the legal positions he has advanced; on others, I fully agree with him. Respecting the last proposition, that the wife has a sufficient status in this country, under the jurisdiction of this Parliament as a court of divorce, to maintain a petition for divorce against her husband, I concur. I think he has fairly laid down the law with respect to the domicile both of husband and wife. If I understand the hon. gentleman aright, he laid down the proposition that the domicile of the husband was, in law, the domicile of the wife, but that for the purpose of obtaining against her husband justice in cases in which she had been aggrieved, the court allowed her a special domicile in the country where he lived, whether her husband's domicile was there or not. I quite agree with the hon. gentleman that we have jurisdiction to maintain her petition and pass this Bill on the ground that she has sufficient status here to justify her in bringing the action and solely upon that one ground. I find the law laid down in Phillimore's *International Law*, with the limitation that I have attached to it. Vol. 4, page 349:

"The general doctrine, that the domicile of the wife is legally that of her husband rests upon the basis that it is the legal duty of the wife to dwell with her husband wherever he goes; but if he commits such an offence against the marriage state as renders her cohabitation morally, and also perhaps physically impossible, he has destroyed the basis upon which the general doctrine rests, and has entitled, or rather compelled, her to establish, for the purpose of obtaining justice against him at least, if not a separate domicile, in the full sense of the term, a separate forensic domicile."

Therefore, assuming the hon. gentleman's first proposition that she was entitled to the divorce being correct, I think his second proposition is sound also, that she has established a sufficient separate forensic domicile which entitles her to bring suit in this country. But she has separate domicile from her husband only and solely to enable her to obtain justice against him in the case where he has violated those moral laws which violation entitles her to sue for a divorce in the country where she lives for the time being. Now, being at one with the hon. gentleman on that point, I will proceed to state wherein I differ with him, on another branch of the case. The hon. gentleman in stating the facts, left the impression that it appeared from the evidence that there was some fault on the part of the husband, to which fault might be attributed the separation of Susan Ash from her husband. I do not so read the evidence. The fact of the case is that Susan Ash was married to this man Manton about the year 1868; they went to his home and lived together for a period of six or eight weeks; that she then left him, so far as I can gather from the evidence, without disobeying him, she left him for the purpose of paying a visit to her parents in Montreal; that she returned after visiting her parents for two or three weeks to her husband again. In the meantime her husband had been unfortunate in circumstances, and his goods and chattels had been sold by the sheriff. He, nevertheless, provided a home for her in the hotel, where they lived for some time, and after living with him for some time, she left him without any apparent reason, except that she did not like him. The proposition to which the House is invited to give its assent in the face of the preamble of this Bill is one to which I think very few hon. members will consent. Looking at her own evidence, I find she is asked:

"Q. Why do you leave him? A. Because he has been cruel.

"Q. Will you please tell us how he was cruel? What do you mean by his being cruel? A. I cannot tell exactly; he had no sympathy for my youth—I was only sixteen."

Hon. gentlemen may say that that means nothing at all. "No sympathy for my youth." She may have thought

that her husband had not as much sympathy, affection and love for her as she had hoped; but will that be held to be sufficient ground to entitle a wife to desert her husband? Then she is asked whether he used any personal violence towards her. She said he did not. She is asked respecting his habits. She says that he is addicted to drink to some extent; but it does not appear that he ever beat her or used violence towards her. Then, according to her own evidence, and it must be remembered that we have only her side of the case, she deserted her husband without rhyme or reason and went back to live with her father, without her husband's knowledge and without his consent. Yet we are asked in the face of this evidence to assent to the legal declaration in the Bill:

"Owing to the said William Manton's conduct it became impossible for her to continue to live with the said William Manton as his wife."

I say there is not one scintilla of evidence to justify that contention, and I will not give my assent to it. How has he conducted himself? As appears from the evidence, he never used violence towards his wife or did anything to justify her in deserting him. After she deserted him he went to live in the United States. He lived there for three years, and then he returned to Montreal with a view to induce her to return to live with him. She declined to do so and persisted in continuing her separation from him, and she again deserted him. He returned to his then home at Boston, and having remained there the necessary length of time to justify him in applying for a divorce, namely five years, he appealed to the court of Massachusetts for a divorce on the ground of desertion. She was served with the necessary papers calling upon her to show cause why he should not obtain a divorce. She did not show cause. She did not read the papers, but she gave them to her father who told her not to read them. She had full notice of the proceeding in Massachusetts, but she abstained from reading the documents served on her on the advice of her father.

Mr. THOMPSON. Where is that in the evidence?

Mr. DAVIES (P.E.I.) On page 6. Then we have the decree of divorce put in evidence by Susan Ash herself, and that decree recites on its face that for the period of five consecutive years preceding the time of application the applicant had resided in the city of Boston. As a fact he had resided there for five years previous to the decree, and that decree being granted on the 7th April, 1874, justifies me in the statement I made that after she had deserted him at the end of 1868 he had gone to Boston and had lived there up to the time of obtaining the decree of divorce. The only time he appears to have left Boston was when he visited Montreal for the very laudable purpose of endeavoring to obtain the consent of his wife to go and live with him, a consent which she refused. Up to this period I see nothing on the face of the evidence to justify in any way whatever the conduct of Susan Ash. She acted without just cause in a manner which I do not think hon. members of this House will desire to approve; she deserted her husband without good reason; she received notice of the application for a divorce, and when he obtained the decree she remained quiet for twelve years afterwards. In the meantime having obtained the decree Manton marries and gives notice to the woman whom he is about to marry that he is a divorced man. He took a second wife and continued to reside in Massachusetts; he has resided there for thirteen years since he obtained a divorce and has a family of five children, and as appears from the evidence on page 7 of one of the witnesses who lived in the same house with him for eight years, he is living a reputable, decent, honest life. His second wife has borne five children, and this House is asked now at the instance of Susan Ash, not merely to declare that her marriage with Manton shall be dissolved, but to declare that that man in the face of this decree dissolving

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his first marriage has been living in a state of bigamy and adultery, as the Bill declares it, with his second wife for the past twelve years, and by implication it declares the issue of the marriage to be illegal. I submit to the House that that is a statutory declaration which hon. members will hesitate a long time to make. The preamble of the Bill recites:

"That the said William Manton, on the third day of September, one thousand eight hundred and seventy-four, went through the form of marriage with one Mary Ford Hatch; that the said William Manton, since his pretended marriage with the said Mary Ford Hatch, has lived and cohabited with her in a state of adultery."

I submit that such is not the fact, and that is not the law, as I read it. I submit that under my reading of the law, if Manton returns to any one of the Provinces of the Dominion and was prosecuted for bigamy, the Dominion courts would hold that his second marriage was a legal marriage, and the decree of divorce, unless evidence was given to prove that the decree was obtained either by fraud or by collusion, would be declared to be a legal decree. I have read the position which those who support this Bill took in the other Chamber where the Bill originated, and I find that the argument addressed by the leader of the House in support of the Bill was a proposition which I am glad to see the Minister of Justice did not entertain. If I understood his reasoning it was this: that the law of the place of marriage was to govern, and that inasmuch as the marriage between Susan Ash and Manton took place in the Dominion of Canada, the statutes of those Provinces, no matter where they lived afterwards, would govern. Such is not the law of England, of Canada, or of the United States. There was a clear misunderstanding in the minds of many of the text-writers as to what the law was owing to the improper conclusion they came, to as to the grounds of the decision, in the celebrated case of Lolley. But since the case of Harvey and Farnie, first decided in the Probate Court, afterwards by three judges on appeal, and afterwards by the unanimous vote of the House of Lords, it has been clearly understood that when parties remarried their status is determined by the law of their domicile, wherever that domicile may be. They may be married in England, but if they make their domicile in France, in the United States or Canada, their rights as between husband and wife are to be determined entirely and solely by the law of their domicile. I do not want to weary the House by reading any portion of this decision at length, but I will read the head notes of the case, which show the principles which govern the English courts in deciding cases of this kind, and if hon. gentlemen appreciate correctly the principles of this case, they will conclude that the propositions I am submitting to the House are the law:

"The English Divorce Court will recognise as valid the decree of a Scotch court dissolving the marriage of a domiciled Scotchman and Englishwoman. Although the marriage was solemnised in England, and the marriage was dissolved upon the ground for which by English law no divorce could have been granted."

Here was a case where a Scotchman had gone to England and married an Englishwoman; they had gone and lived in Scotland, or at any rate that was the husband's domicile. An act was committed by the wife which would not have entitled him in the English courts to a divorce, but which would entitle him in the Scotch courts to a divorce. He applied for a divorce in the Scotch courts and obtained a decree. The case was carried to the highest appellate courts in Great Britain, and they held that the Scotch court had jurisdiction over the parties, because it was in Scotland that the husband's domicile lay. There are, therefore, only two principles upon which a court may act. They must determine, under the law of the country in which the marriage took place, or else under the law of the country in which the domicile of the husband was. Now, the law was misunderstood, until after the decision of the House of Lords in the case to which I have

referred to mean that it was the *lex loci contractus* that governed the status and relations of the husband and wife forever after; but that is not the law to-day, and it has not been the law since this case was decided. In this case of *Harvie vs. Farnie* the notes go on:

"The question of divorce is not an incident of the marriage contract to be governed by the *lex loci contractus*, but is an incident of status to be disposed of by the law of the domicile of the parties—that is, of the husband's."

Now, I think it will be conceded, I think it has been conceded by the Minister of Justice, and if it were not, it would be easy to cite numberless authorities to prove it, that the domicile of the husband, actual and *bonâ fide*, is the domicile of the wife, and I did not understand the hon. gentleman to controvert the proposition of law which I lay down, and which I think is fairly deducible from that case. What I did understand him to deny is, that there is any evidence to show that the State of Massachusetts was really Manton's domicile. I understand him to assent to the proposition that, if it were affirmatively shown that Manton's domicile was in Massachusetts, the courts of that State would have jurisdiction. The hon. gentleman nods assent, so that the point between us is really a very simple one. The question is what weight you will give the copy of the decree of separation of Manton and his wife, which was put in evidence in this case. Is it *primâ facie* evidence of the facts it sets forth? And if it is what are those facts? I submit, as a proposition of law, that in the absence of any evidence, direct or implied, attacking that decree on the ground that it was obtained by fraud or collusion, in the absence of any evidence to show that Manton went there simply to obtain that decree of divorce, that decree is evidence of the facts recited in it. The decree states in substance that he was there for the full time of actual residence which the law of Massachusetts required, that is five years, to entitle a person to apply for a divorce. The period required, therefore, by that law had elapsed, and it appears from the evidence before us that not only was he there five years, when the decree was issued, but that he has resided there for thirteen years since that date, and I submit to the House, as a fact fairly deducible from the evidence, that a man who has resided for eighteen years in the state of Massachusetts, and has married and brought up a family, and in the absence of evidence to show that he intends to change his residence, it is fair evidence that the state of Massachusetts is his domicile. I freely assent to the proposition that that decree is not binding absolutely, that it was open to Susan Ash to come to this or any court in the land and to say that that decree was void. The law throws every protection around persons who were absent when a decree was made; and she could set it aside in any judicial tribunal of our land, if she could prove that Manton simply went there to obtain a divorce, and not for the purpose, *bonâ fide*, of changing his domicile. The law does not allow a man to go from one country, where a divorce is difficult, to another country, where it is easy, simply for the purpose of obtaining a decree. The hon. gentleman cited one or two cases to prove that proposition. I think he cited *Pitt vs. Pitt*, which was decided some time ago in England. In that case Colonel Pitt had gone into the adjoining country and lived there, and his object was not *bonâ fide* to change his domicile, but to enable him to procure a divorce. In that case it was held that the one simple fact that you have not changed your domicile established that the divorce you obtained abroad is not binding. The hon. gentleman concedes that if the fact had been found the contrary way, if it had been found that Colonel Pitt had changed his domicile from England to Scotland, that one fact would have altered the decision, and the jurisdiction would have been complete and binding, not only in the Scotch but in the English courts. Then the case of

Niboyet vs. Niboyet was one in which the two parties, who were French in origin, had gone to England. That case goes further than I am contending for in the case now before the House. It decided that even domicile was not necessary, but that *bonâ fide* residence in the country was quite sufficient, and I freely confess that that case ought not to be considered by us as an authority in this case, because it was decided on the construction of an English Act of Parliament which we have not in force in this country. It simply decided that the two facts of residence in England and proof of the crime which justified the divorce having been established in England, those two facts give jurisdiction to the court and entitled the parties to a decree of dissolution. But I am satisfied from the authorities, that even that divorce might not have been recognised in France, if the case had come up there. I do not go so far as that, but I simply go as far as the proposition laid down in *Harvey vs. Farnie*, in which the principle I contend for was assented to by the decision of the president of the Divorce Court, next by the Justices of Appeal and lastly by the House of Lords, so that I cannot see how there can be any doubt about what we should decide. I will venture to trouble the House with one or two quotations from the judgment. Lord Justice James observed:

"And, upon principle, I cannot bring myself to doubt that what Lord President has said is right, that if a domiciled foreigner comes here for the purpose of taking a wife from this country, the moment the marriage is contracted, the moment the vinculum exists, then the lady becomes to all intents and purposes of the same domicile as the husband, and all the rights and consequences arising from the marriage are to be determined by the law of that which by the actual contract of marriage becomes the domicile of both parties, exactly to the same extent as if they had both been originally of the foreign country. It seems to me that there is no qualification of that rule. A wife's home is her husband's home; a wife's country is her husband's country; a wife's domicile is her husband's domicile; and any question arising with reference to the status of those persons is, according to my view, to be determined by the law of the domicile of those persons; assuming always that the domicile is a *bonâ fide* one, not a domicile either fictitious or resorted to for the sole purpose of altering the status. I am not, however, prepared to say that an English husband could, by going to a foreign country for the sole purpose of domiciling himself in a place where a marriage could be dissolved at pleasure, be enabled to obtain a valid and binding dissolution of his own marriage. That point it is not necessary for us to decide. But where the domicile is the real *bonâ fide* domicile of the husband, and consequently of the wife, the court, the forum of the country of that domicile, is the forum which has to determine the status; and has to determine whether the status was originally well created, and whether any circumstances have occurred which justify that forum in deciding that the status has come to an end."

Now, nothing can be clearer, or plainer, or freer from doubt than the language used by the Lord Justice—the husband's domicile is the wife's domicile; the forum of the country where the domicile is, is the forum having jurisdiction over the parties, provided always that the domicile is a real *bonâ fide* one, and has not been sought and obtained simply for the purpose of procuring the divorce. Lord Justice Cotton, in giving judgment, took the same line. He says:

"Then we have to consider this question: Is this divorce an incident of the contract, and in any way to be governed by the law of the country where the solemnity took place, or is it a question of status?"

Now, hon. gentlemen will see that this case must either be governed by the law of Canada or by the law of the United States; they must hold that William Manton's domicile is either in Canada or in the United States. He has never been anywhere else; and this House is asked to decide that this man's domicile is not in Boston, where he has lived for thirteen years with his family, but is here. The hon. gentleman knows that the question of domicile is altogether a question of intention. That intention can be gathered as well after the residence began as before, and the fact that this man has been living in Boston since 1874 with his wife and family, is the best evidence that it was his intention in 1874 to remain there and make it his domicile. Lord Justice Cotton says:

"In my opinion is not a question in any way depending upon the rule that the *lex loci contractus* governs. That applies, as I have already stated, to the forms and solemnities by which the marriage is celebrated. When parties unite themselves in marriage, it is not part of this contract that, according to the laws of the country where that marriage takes place, they shall have the power or not to dissolve that marriage. Any act done in violation of the duties incident to the status is a matter which concerns the country of the domicile, and, in my opinion, the question of divorce is not in any way an incident of the contract so as to be governed by the law of the country where that takes place; but an incident of the status to be disposed of by the law of the domicile of the parties if they are subject to the tribunals of that country. Here we have a real domicile throughout in Scotland, and in my opinion the courts of that country, not only for the purpose of status in that country, but for the purpose of status everywhere, have the power to entertain this question, and if they think fit to decree a divorce."

Now, I could substitute the word Massachusetts for the word Scotland, and apply the language used by the Lord Justice to the case before the House. In this case we have a real domicile, it appears to me, in the State of Massachusetts, and in my opinion the courts of that State, not only for the purpose of status in that country, but for the purpose of status everywhere, had the power to entertain the question of William Manton's right to his divorce, and if they thought fit, to decree a divorce; and that court, having entertained the question and having decreed accordingly, and William Manton having acted on that decree, and having married an honest woman and lived with her in good faith, because the evidence shows nothing to the contrary, for thirteen years, and raised a family of children, I say that for this House to step in and declare that that marriage is a bigamous one, that that man is living in adultery, and that those children are illegitimate, is a proposition from which I shrink, and to which I shall not give my assent. I am not opposed to giving a divorce to Susan Ash, but I am against the propositions of law which she has set up, which are not only unjust, but opposed to the whole current of English decisions—propositions which cannot be fairly adduced from the facts contained in the evidence, but, on the contrary, are opposed to those facts. And I say that no man, be he layman or lawyer, can wish to insert in the preamble of that Bill a declaration that William Manton and the woman he married have been living in adultery for 13 years, and that their children are illegitimate. I for one will not commit myself to such a hideous proposition. Does this woman deserve anything at the hands of this House? She left her husband and deserted him without cause, so far as I can gather from the evidence. I have no hesitation in declaring my opinion that if the children of this second marriage came to this country, and the question of their legitimacy was tested, the courts of law, bound by the decisions of the English courts which I have read, would have to declare those children legitimate; and if that is so, I think we would be taking upon ourselves a great deal in declaring them illegitimate, unless some evidence were given to show either that that divorce of Manton's was obtained by fraud or collusion, or that he went to the States, not for the purpose of honestly changing his domicile and acquiring a domicile there, but for the sole fraudulent purpose of obtaining a domicile where he could easily procure a divorce. If I am right in that, what extraordinary consequences would follow from the course we are asked to take. These children are legitimate, that woman is an honest woman in the eyes of the law of the State of Massachusetts, and you are asked to declare that if she crosses an imaginary line she loses her legal status. She loses her position of honor, she becomes the mere concubine of this man, without having any legal right to his name, and these children, who are legitimate on one side of the line become illegitimate on this side. What does Lord Justice Lush say as to the aspect of the case in this decision I am reading from? He says:

"Now, to hold the consequence of what is confined to Scotland, and to hold that a Scotchman, who was released by the law of his own country from the marriage tie in the country where his home was, should as soon as ever he came over the border into England, be liable

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to be indicted for bigamy, is something that shocks all one's notion of morality and public convenience."

Looking at the case from my standpoint, there is sufficient evidence, *prima facie*, to justify me in accepting the facts stated in that decree as correct. Admitting, therefore, that he obtained his domicile in Massachusetts and admitting it to be indisputable that the law of the country of domicile is the only law which can govern in questions relating to the dissolution of marriage, I cannot give my assent to the propositions laid down in the preamble of this Bill, and which are at direct variance with the decision in this case. The hon. gentleman asked me if I was reading from the appeal case in Harvey *vs.* Farnie. I was not reading from the report of the case in the House of Lords, but before the Lords Justices of Appeal, and I need not again quote it. The decision in the House of Lords confirms the decision of the Lords Justices upon the same ground. The head-note to that case says:

"The English courts will recognise as valid the decision of a competent foreign Christian tribunal dissolving the marriage between a domiciled native in the country where such tribunal has jurisdiction, and an English woman, when the decree of divorce is not impeached by any species of collusion, or fraud. And this, although the marriage may have been solemnised in England, and may have been dissolved for a cause which would not have been sufficient to obtain a divorce in England. When an English woman marries a domiciled foreigner, the marriage is constituted according to the *lex loci contractus*; but she takes his domicile and is subject to his law.

They went on to hold that in a word the law of Scotland governed. The hon. the Minister of Justice referred to a decision given by our own Supreme Court in the case of Stephens, and he rather, I think, stated that he understood that opinion did not lend countenance to the doctrine that the courts in this country would recognise the decrees of divorce granted in the United States.

Mr. THOMPSON. I stated that the decision was not what it was supposed to be, namely, that the decisions in divorce cases of the United States courts are recognised without enquiry as to the jurisdiction.

Mr. DAVIES. I quite assent to the proposition that it is perfectly competent for us to enquire, acting, as we are, as a *quasi* court, as to jurisdiction. We have a right to enquire as to the *bond fides* of the decree and domicile—whether the decree was obtained by fraud or collusion; and if we find any of those facts, we have the right to set aside the decree as valueless, just as a court of the land would. It appears to me, Mr. Justice Gwynne laid down the law very nearly as I understand it to be, according to the cases I have cited. He said in the decision to which I have referred:

"Mr. Justice Story, in his conflict of laws (Section 86) says:—'Of the nature, extent and utility of the recognition of foreign laws respecting the state and condition of persons, every nation must judge for itself.'"

Upon that the learned judge comments:

"Now, admitting this to be so, I must say that it appears to me very clear that if the husband in Deck *vs.* Deck, instead of going to the State of New York, had gone to the Province of Quebec and had married there, the courts of the Provinces of this Dominion should not hesitate to recognise the validity of the decree made in that case, so as to entitle the wife to maintain a suit like the present in her own name as a *femme sole*; and if we should recognise such a decree made by the divorce court in England, I can see no principle upon which we should decline to recognise a decree of the Supreme Court of the State of New York made under similar circumstances, for a cause which, by the law of the State of New York, is sufficient to justify a decree of dissolution of marriage."

In other words, if I understand the learned judge aright, he puts the decision of the court of the State of New York, or the court of the State of Massachusetts, in the same position as the decision of the courts in England. They are both foreign countries, as far as we are concerned, in the matter of divorce, and we give the same recognition to a

decree of the court in one country as we will to a decree of the court in another country. He then goes on to quote with approbation the decision of the House of Lords in *Farnie vs. Harvey*, in which case it was decided that:

"The English courts will recognise as valid the decision of a competent foreign tribunal dissolving the marriage between a domiciled native in the country where such tribunal has jurisdiction, and an English woman when the decree of divorce is not impeached by any species of collusion or fraud."

To the principle of that decision he gives his unqualified assent, and I, therefore, understand the law, as he laid it down, to be that which I have been attempting to lay down to the House to-night. While I recognise that for the purpose of obtaining justice against her husband, if she can prove she is entitled to justice in the sense she asks it, we have jurisdiction to act in that matter, and while I hold that for that purpose she may have a forensic domicile in this country, still her legal domicile is the domicile of her husband, William Manton. When he removed to the State of Massachusetts for the purpose of residing there, that State became his domicile, and the courts of that State became the only courts which had jurisdiction over him and authority to decree a divorce. Having decreed that divorce, and that decree being in evidence and reciting the fact that he was there five years, and other evidence supplementing that by showing he has resided there ever since, I have come to the conclusion that Massachusetts is the state of his domicile, that the court of Massachusetts has jurisdiction, and its decree is binding not only in Massachusetts but in all the courts of this country. I recoil, therefore, with a shudder from the legal proposition this woman asked us to endorse; I object to this House bastardising these children and declaring that the second wife is living, not in a state of matrimony but in a state of concubinage. Though I would be willing to vote for the dissolution of the marriage, when the petitioner couples that dissolution with these facts, I am obliged to vote against the Bill.

Mr. O'BRIEN. If the hon. gentleman is correct there is no adultery, and, therefore, no ground for this divorce on the principle on which this Parliament has hitherto acted. That is the logical conclusion of his argument.

Mr. DAVIES. There is no law, as I understand, in our Statute-book or in the British North America Act, which defines the ground on which we may grant divorces.

Mr. O'BRIEN. True, but we have always acted on that consideration.

Mr. DAVIES. The proposition I lay down is this: that the man is legally married in the State of Massachusetts, that he obtained a legal divorce, and that if the woman were domiciled there she has the right to go there and obtain from the court leave to marry again; but, living in this country, she has obtained sufficient forensic domicile here to justify her coming to this Parliament for relief; and it is for us to grant a divorce on the ground that her husband has obtained a divorce abroad.

Mr. O'BRIEN. Practically the conclusion is the same, if the hon. gentleman's contention is correct, that there is no adultery, and in that case the ground on which this Parliament has granted divorces is cut away.

Mr. WELDON (St. John). No doubt the general principle hitherto laid down by Parliament, which, under the British North America Act, has power over marriage and divorce, is that divorces have been granted only for the cause stated by the hon. member for Muskoka (Mr. O'Brien), but there is no limitation of the power of Parliament to grant divorce for any cause, and, while we have laid down that general rule, there may be cases in which there may be an exception, and I think this is a case which may be taken out of the general rule, and where we may give this woman the relief she claims. While this question is an important

legal question, I do not think there is much dispute as to the legal principles which are involved, but in my view it settles down largely to a question of fact. There is no dispute that, in the case of an English marriage between English subjects, if those parties subsequently change their domicile and become domiciled in a foreign country, it is through the tribunals of that country that a dissolution of the marriage shall be had, and, if the domicile is fairly changed from an English to a foreign domicile, and the decree of dissolution of marriage is made, even on a ground upon which our courts would not have granted it, that would be recognised by the tribunals of our country. This is a matter which, in consequence of the conflicting opinions upon it, has required a good deal of consideration. My mind fluctuated for a time in regard to this case, but, after looking into the authorities, I have come to the conclusion that we ought not to pass this Bill with the present preamble. In the first place, the preamble recites that this woman could not continue to live with her husband, so that in fact we are asked to decide that there was sufficient evidence to justify the Court of Probate and Divorce in England—which I take by way of analogy to the Parliament here—in granting a decree of judicial separation, not of a dissolution of the marriage. Without going over the evidence, which has been fully discussed by my hon. friend the Minister of Justice and my hon. friend from Prince Edward Island (Mr. Davies), it is evident that the facts set out are not sufficient to justify a court in granting a decree of judicial separation, for it appears that she voluntarily left her husband without, I think, sufficient justification for any court to grant a decree of judicial separation. Therefore, so far as that is concerned, it seems to me that we have no right to make that statement because, dealing with this case, as we are for the time being, as a judicial tribunal, we ought to consider the rights and the status of William Manton, the husband of Susan Ash. I can find nothing in the evidence to justify us in coming to the conclusion that it was impossible for her to continue to live with her husband, and the test which I apply to that is that the court in England, under the facts which are proved, would not grant a decree of judicial separation. The next question is as to the effect of the decree. It seems to me that that comes to a question of fact. The principle laid down by Lord Justice James in the case of *Harvey vs. Farnie*, which was read by my hon. friend from Prince Edward Island (Mr. Davies), seems to me to settle the question that, in regard to people married in England and going to a foreign country and acquiring a domicile there, the status of the marriage becomes subject to the judicial tribunal of that country. There is a case in which that matter was determined, the case of *Shaw vs. Her Majesty's Attorney General*. I will read the head notes of that case, and then will shortly give the facts:

"The petitioner, whose original domicile was English, and who married in England, resided for two and a half years in one of the States of America, and then petitioned the competent court in that State for a dissolution of her marriage on grounds for which, if proved, this court would also dissolve an English marriage."

I may say, that, although that is put forward in this case, I think we can deduce from the later cases, the case of *Harvey vs. Farnie* for instance, that, if the foreign court have jurisdiction, although the cause for which the marriage is dissolved by the foreign court might not be one which would authorise the English court to dissolve the marriage, it makes no difference as to the validity of the decree:

"No personal notice of the proceedings was given to the husband, who had never been within the State, and whose domicile continued to be English. The marriage having been dissolved, the petitioner remarried in America in the life time of her first husband."

"Held, that a divorce so obtained could have no legal effect upon an English marriage, and, therefore, the second marriage was invalid."

"It would appear that if the petitioner had been legally domiciled in the State at the time that the divorce was granted, the English courts would have recognised and acted on the decree."

Now as to the facts :

"The facts of the case are these : The marriage between the petitioner and William Suthers, as I have said, took place in August, 1851, at Halifax, in Yorkshire, near which place both parties up to that time had been resident. In 1853 the petitioner went to the United States by herself, and her husband followed her in 1854. In the following year they both returned to England, and continued to live together at Hebden Bridge, Yorkshire, until March, 1856, when William Suthers again went to America; the petitioner followed him in March, 1857, to America, but did not join him. She supported herself as a sempstress, and in August, 1859, she had been resident more than two years in the State of Iowa. In that month she commenced proceedings for a divorce in the proper court of that State. The court had no reason to suppose that the petitioner had any collusive object in going to reside in the State of Iowa. At the same time there is no evidence to satisfy me that she ever obtained a domicile in the State of Iowa. She always had an intention to return to England, and ultimately did so. The husband went to the United States in 1857, and then to Canada, and he was in Canada during the period in which the proceedings for a divorce were being carried on in Iowa. No notice of these proceedings were personally served upon him. The citation was by advertisement: it did not reach him, and did not come to his knowledge. Everything took place behind his back. He never had an intention to give up his English domicile. These are the facts upon which I must decide whether the divorce can be held valid in this country. The principles upon which the question here raised must be decided have been so recently discussed in several cases in the court of ultimate appeal that it is not necessary to enter upon a discussion at large on the present occasion. It may be sufficient to observe: first, that *Lolley's case* has never been overruled; secondly, that in no case has a foreign divorce been held to invalidate an English marriage between English subjects, where the parties were not domiciled in the country by whose tribunals the divorce was granted. Whether, if so domiciled, the English courts would recognise and act upon such a divorce appears to be a question not wholly free from doubt; but the better opinion seems to be that they would do so if the divorce be for a ground of divorce recognised as such in this country, and the foreign country be not resorted to for the collusive purpose of calling in the aid of its tribunals."

Now, in that case the question turned, as in this case, upon the domicile, but the facts there are very important to show that the petitioner had simply resided two years and a half in the State of Iowa, and that there was no evidence that she had not the intention to return, which was actually carried into effect afterwards by her returning to England. This case is one of fact, to be judged by the circumstances, and what are the circumstances? We find that this man had resided five years in the State of Massachusetts, the time which is required by their law before he could apply for a divorce. The decree of the court of Massachusetts states that he petitioned for that divorce, and sets forth the different facts which are stated in his petition, that he had been married to Susan Ash, that he had been deserted by her, and that he had resided for five years in the State of Massachusetts. Then the decree goes on and states all these facts which were proved to the satisfaction of the court. I take it my hon. friend the Minister of Justice will not undertake to impugn the validity of the decree, assuming the facts contained in it. We find throughout the whole facts that Susan Ash does not intend to impugn the decree in any shape. Although she was not at the time subject to that tribunal, was not in the State of Massachusetts, we would still have a right to say whether these facts were correct or not. But she has not attempted in the slightest degree to say that any of these facts were incorrect. Then we have a right to look to the subsequent conduct. The Minister of Justice will agree with me that we have a right to look at the facts regarding a domicile, and changing the domicile the husband goes there, as in the case of *Pitt vs. Pitt*, merely for the purpose of obtaining a divorce, he has not such a domicile as will enable him to obtain a divorce. Now, in this case was there any *animus revertendi*? We have the fact that shortly after his wife refused to cohabit with him, he went to the State of Massachusetts, and he appears to have remained there and engaged in some occupation to earn a living. During that period he returned to see if his wife would again cohabit with him and go with him to the State of Massachusetts, his adopted home. He returns there and remains five years, then he comes to Canada and marries, and returns to Boston, and there is not the slightest evidence

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that he ever intended to return to Canada. Now, it seems to me, in view of these facts, that the question is narrowed to one of domicile. Then I think that, viewing the decree of the State of Massachusetts, taking the fact that the onus of disproving the facts on which the decree is based were laid upon the petitioner in this case, she has no right to come here to impugn that divorce and to make the marriage with Miss Hatch a bigamous marriage and the children of that union illegitimate. It seems to me she ought to endeavor to show that that decree was obtained either by fraud or collusion, or that the facts were not correct. The decree was put in by herself, as part of her own evidence, without any attempt to invalidate it. Therefore, I take it we have the right to assume that she admits the facts stated to be correct. If the decree was invalid at the time, I admit that the subsequent residence, or subsequent facts that could not render it valid. But I have been looking at the subsequent facts regarding the whole question relating to the change of domicile by Manton. I want to see that he went there honestly, in good faith, for the purpose of acquiring a residence in Massachusetts. He abandoned his domicile in Canada and remained in Massachusetts, applied for the divorce, came to Canada and married again, and then returned to Massachusetts, where he remains to this day. Under these circumstances, it seems to me we ought to pause before we make a statutory declaration of certain facts. We all know that our decision will be held conclusive in a court of law. It has been pointed out by the hon. member for Queen's that if Manton came here and was indicted for bigamy he could not be convicted. Suppose he was possessed of real estate in this country, now, when time goes on, and he happens to die, and these children claim the property, we have got to see what the judicial tribunals of our country would decide. Taking a view of the facts, I believe Manton had acquired a domicile in the State of Massachusetts, that, by virtue of that domicile, the status of this marriage become cognisable by the courts of Massachusetts, and that, therefore, that divorce was valid and his subsequent marriage was legitimate. If that was the decision of the tribunal in this country, why should we make a statutory declaration, that that is not the state of the facts, that on the contrary this woman, Mary Forde Hatch, has no legal position as the wife of William Manton, and that the children she has borne to him are illegitimate? I must say that I would hesitate before doing that. If it was necessary for the purpose of giving this woman relief, and I should have to vote on that preamble, I should be constrained to vote against this Bill. But I think that under the power of Parliament we can afford relief to this woman without affecting the status of people who are not before us, affecting the status of William Manton, still more affecting the status of the woman he has lived with in marriage for his last thirteen years, and without branding the children of his last marriage with illegitimacy by Act of Parliament. But if the question is ever to be tried, let it be tried by the judicial tribunals of this country. I have spoken in this matter with diffidence, knowing the difference of opinion among legal gentlemen. But I believe we ought to recognise the divorce which dissolved this marriage and left Manton free to marry, to recognise that the marriage was legitimate, and that the children borne of that marriage are legitimate.

Mr. WELDON (Albert). There are two or three points of fact that I would like to refer to briefly. There has been such a striking unanimity of opinion as to the leading rules of law that are involved in this controversy, that almost nothing in that respect is left one to discuss. The hon. member for Queen's, P. E. I., (Mr. Davies) stated that he differed from the Minister of Justice, both as to the law and the facts. I followed his argument as carefully as I could, and I was not able to discover any material position

advanced by the Minister of Justice from which the hon. member for Queen's dissented. There were one or two minor propositions of law in respect to which there was difference of opinion. The hon. member for Queen's, Prince Edward Island, has said that the recitals of the decree in Massachusetts must be held to be taken as evidence of jurisdiction. From that proposition I entirely dissent. Even if such jurisdiction, according to the constitutional law of the State of Massachusetts were established, we have not sufficient to satisfy the requirements of the Canadian law. A Scotch decree of divorce has been granted when the parties could only prove a residence of forty days; the requirements of the Scotch law have thus been satisfied. But the requirements of the English law when English courts have been called upon to pronounce on the validity of Scotch decrees have not been satisfied. Hon. gentlemen opposite must even go further, and face the fresh difficulty and show that the requirements of the law of Canada have been complied with. There is a great difference between hon. gentlemen opposite and the Minister of Justice in the interpretation of the facts. Hon. gentlemen opposite hold that a case of *bona fide* domicile has been made out. I will not marshal the evidence at length, but so far as I understand it a *bona fide* domicile has not been made out. The hon. member for Queen's, P.E.I. (Mr. Davies), said the best evidence on that point was that Manton had been in Boston for fourteen years after 1874, when the divorce was granted. It must be remembered that this is the case of a man who remained out of the country, and who if he came back to Canada would find himself liable to be indicted for bigamy. He might, if returning to Canada, meet the terrible fate which overtook Lolley, who was married in England, divorced in Scotland, and on returning to England, after a second marriage, was sentenced to two years' imprisonment. That would be a very good reason why Manton did not come back, without assuming that he had an *animus manendi* in Boston. The cases cited at considerable length by the hon. member for Queen's (Mr. Davies) and by the hon. member for St. John (Mr. Weldon) go to show this very clearly, that in some cases the English court will grant divorces where the parties are not domiciled within their jurisdiction; but the practice of the English courts in treating a foreign decree is illiberal, and they will not always respect foreign decrees under precisely the same circumstances where jurisdiction would be extended by their own courts. But I will not pursue this discussion, for I promised to speak but a moment. I say in conclusion that I will vote for this Bill following this simple rule: that whether the divorce of the Massachusetts court was good or not I think we are acting safely, fairly and wisely in voting for this Bill. If the divorce in Massachusetts is a valid divorce, if the parties were, as I think they were not, domiciled in Massachusetts at the time, we but affirm a possibly good decree. If the divorce granted by the Massachusetts courts is a bad divorce, then the facts before us as disclosed in the evidence taken before a committee of the other Chamber show that this is a case where relief is needed. As to the other fact, whether there was or was not jurisdiction, we are but doing a simple act of fairness and justice in granting this relief, and, therefore, I shall have pleasure in voting for this Bill.

Mr. THOMPSON. I desire to offer a few words of explanation. The hon. member for Queen's (Mr. Davies) agreed with most of my propositions; but we differ as to the facts and the view we take of the evidence. The main difference is this: The hon. member for Queen's (Mr. Davies) contends that the decree pronounced by the court of Massachusetts is evidence of a domicile there, because it recites that the party making the application had lived there for five years. I admit that if he lived there for five years, he would probably have acquired a domicile; but the recital of that fact in the decree of the court is no evidence of the fact itself,

because the decree is not of the slightest value until we have ascertained that the court had jurisdiction over the subject matter and the person. The hon. gentleman has stated that the document shows that the court had jurisdiction. The assertion made in the decree is held by the hon. gentleman as *prima facie* evidence that the applicant had resided in the State for five years, and that the court had jurisdiction, and, therefore, the decree must be held to be good unless it could be shown that it had been obtained by fraud. My proposition is, that a judge sitting in Massachusetts has no judicial authority whatever until it is proved that he has jurisdiction over the subject matter and person in the case. Until that has been done, he has no power whatever. The hon. member for Queen's (Mr. Davies) has contended that there is no evidence to show that the woman was justified in leaving her husband. The evidence shows, however, that he was addicted to drink, and that he was so much addicted to that habit that it would be a species of cruelty to compel her to live with him. But supposing she had no right to leave him, does that justify the husband in going to a foreign country, getting the marriage dissolved—she did not give him justification for obtaining a divorce in this country—and remarrying? As regards the horrible consequences of declaring the second marriage bigamous, I say this is simply declaring the marriage void, which he went to Massachusetts to have so declared. It is simply saying that the woman shall be relieved of the marriage of which he himself got relieved by the court of Massachusetts.

Mr. MILLS. It seems to me that the doctrine of the Minister of Justice is a very extraordinary doctrine to lay down under the existing circumstances. This man is not before this court at all. He has had no opportunity, so far as we know, of appearing before Parliament. The hon. gentleman knows that so far as a foreign decree is concerned it is taken in a court of this country upon proof as a matter of fact. The statement here is that this man had gone to reside in Massachusetts and had resided there for five years, and had obtained a decree of divorce in a court having jurisdiction. The Minister of Justice says we have no evidence of that fact before us. But we are asked to assume by this Bill that it cannot be a fact. The House ought to be careful in pronouncing on a case in the absence of one of the parties. The evidence goes to show that this woman left her husband without adequate cause, or at all events the evidence does not disclose a sufficient cause to justify desertion. Subsequently to that the husband left the country and went to reside in Massachusetts. That is admitted by the applicant for divorce in this case. The hon. Minister asks this House to say that the court which granted that decree of divorce had not jurisdiction. Now, I say that before this House is asked to make a statutory declaration of that sort, there ought to have been some evidence going to establish that as a fact. But, in the absence of its being established, the hon. gentleman asked the House to assume it to be a fact. The hon. gentleman asks this House to do what the court in England, in the case of *Shaw vs. the Attorney General*, said that a judicial tribunal ought not to do. Now, we are proceeding in this matter, to some extent at all events, as a judicial tribunal. We are discharging what, in most countries, is the duty of a court, and we are asked to do so upon evidence which is altogether inadequate. Why should we be called upon to say that William Manton is living in adultery with this woman Hatch, in the State of Massachusetts? Why should we say that the children born to them are illegitimate children? There is no necessity to make that declaration. If it be true that Mr. Manton has resided in the State of Massachusetts for five years, that he made application to the proper tribunal to obtain a divorce, that he did obtain a divorce, that he has been a resident of the State of Massa-

chusetts ever since, which would go to show that at the time he applied for the divorce he was a *bond fide* resident of that State, why should we be called upon to make a declaration in an Act of Parliament at variance with the facts, if they be as they are represented to us? Why should we assume that the court in Massachusetts had no jurisdiction, that his residence there was not *bond fide*, and that the marriage with Mary Ford Hatch is not a legal marriage? I say that the hon. gentleman, when he asks us to make all these declarations in a statute, is asking us to go altogether beyond the evidence; he is asking us to assume that which no court or judicial tribunal would assume under like circumstances. It would be quite as proper for this woman to have set out the fact that this man had gone to another country, had married, or professed to marry, another woman and apply for a divorce on that ground. Certainly the divorce of the one party has always been held in this country to remove the impediment to the marriage of the other party, and that being the case there was no difficulty whatever in a declaratory statute which would have recognised the facts as they are represented by the evidence which is before us.

House divided on motion of Mr. Small.

YEAS:

Messieurs

Bowell,	Lang,	Robertson (Kign's, PEI),
Bowman,	Livingston,	Ross,
Brien,	Lovitt,	Scarth,
Bryson,	MacDowall,	Scrifer,
Burdett,	McDonald (Victoria),	Shakespeare,
Cargill,	McDougald (Picton),	Smith (Ontario),
Carpenter,	McLellan,	Sproule,
Clayes,	Mara,	Stevenson,
Edgar,	Masson,	Taylor,
Ferguson (Leeds & Gren),	Mills (Annapolis),	Trow,
Foster,	Mitchell,	Tupper (Sir Charles),
Freeman,	Moncreiff,	Tyrwhitt,
Gordon,	Montague,	Weldon (Albert),
Hale,	Perley (Ottawa),	White (Cardwell),
Hall,	Porter,	Wilson (Elgin),
Hickey,	Putnam,	Wood (Brockville).—50.
Jamieson,	Reid,	

NAYS:

Messieurs

Armstrong,	Dupont,	Langevin (Sir Hector),
Bain (Wentworth),	Eisenhauer,	Laurier,
Béchar,	Ellis,	McDougall (O. Breton),
Bergin,	Ferguson (Welland),	McMillan (Vaudreuil),
Bourassa,	Fiset,	Mallory,
Cameron,	Gauthier,	Mills (Bothwell),
Charlton,	Gillmor,	Platt,
Colby,	Girouard,	Rinfret,
Coughlin,	Grandbois,	Riopel,
Coursol,	Ives,	Ste. Marie,
Dawson,	Joncas,	Thompson,
Desjardins,	Kenny,	Vanasse,
Doyon,	Landry,	Weldon (St. John),
Duchesnay,		Wright.—42.

Motion agreed to, and Bill read the second time.

Mr. RINFRET. Mr. Speaker, the hon. member for Lévis (Mr. Guay) has not voted.

Mr. GUAY I have not voted because I have paired with the hon. member for Lisgar (Mr. Ross).

DIVORCE—RELIEF OF WILLIAM ARTHUR LAVELL

Mr. FERGUSON (Leeds and Grenville) moved the first reading of Bill (No. 255) for the relief of William Arthur Lavell (from the Senate).

Motion agreed to, and Bill read the first time, on a division.

Mr. FERGUSON (Leeds and Grenville) moved the second reading of the Bill.

Motion agreed to, and Bill read the second time, on a division.

Mr. MILLS (Bothwell).

FREEHOLD LOAN AND SAVINGS COMPANY.

Mr. HALL. I wish to call the attention of the House to an error which has occurred in the Bill with reference to the Freehold Loan and Savings Company, by the omission from the second clause of the restriction as to the term for retaining real estate. The clause which the House has always insisted upon, and which the Banking and Commerce Committee has always inserted, provides that the retention of such real estate shall be limited to seven years. Such a clause was inserted by the committee in this Bill, but, by a mistake, it was not reported to the House. As the Bill has also passed the Senate, the only way of remedying the error is to introduce an amending Bill inserting the clause. The amendment which I propose to insert is an addition to the second clause: That the company shall sell any real estate acquired for the satisfaction of any debt within seven years after it is so acquired, otherwise it shall revert to the previous owner or his heirs or assigns. I may say that I have consulted the leader of the House and that I have his approval of the course I am adopting. I, therefore, move:

That all the rules and orders of the House be suspended in relation to a Bill to amend an Act of the present Session intitled: "An Act to enable the Freehold Loan and Savings Company to extend their business and for other purposes."

Sir RICHARD CARTWRIGHT. If I correctly understood the clause which the hon. gentleman submitted, it is not exactly in the form which has been customary. The clause I think provides that the property shall revert to the heirs or representatives of the party. My recollection is that the usual clause simply limits the holding of the property for so many years without the insertion of those last words. Undoubtedly whatever may be inserted should be in the usual form.

Mr. HALL. These are the exact words which the committee has put in every Bill which has come before them this Session, and every Bill which has been adopted by the House. The object is to make the provision uniform in all loan and building society charters.

Sir RICHARD CARTWRIGHT. I do not think you will find that in the majority of loan bills passed in previous Sessions. Of course, however, if this provision has been inserted in other Bills which have passed this Session, and if it is the policy of the Government to insert those words, I will not press my objection.

Sir JOHN A. MACDONALD. The hon. gentleman (Sir Richard Cartwright) is quite right. I think it is only during the present Session that the addition has been made, and for a good propose—that the estate shall leave the banker.

Sir RICHARD CARTWRIGHT. Then I have no objections.

Motion agreed time, and Bill (No. 156) was read the first, second and third time and passed.

FIRST READINGS.

Bill (No. 153) to amend the immigration Act (from the Senate).—(Mr. Bowell).

Bill (No. 154) to amend the Revised Statutes, chapter 51, respecting real property in the Territories (from the Senate).—(Mr. Thompson.)

THIRD READINGS.

Bill (No. 115) to amend the Dominion Elections Act.—(Sir John A. Macdonald.)

IN COMMITTEE.—THIRD READING.

Bill (No. 77) respecting the Oxford Junction and New Glasgow Branch of the Intercolonial Railway.—(Mr. Pope.)

CUSTOMS AND INLAND REVENUE.

The House resolved itself into committee on Bill (No. 41) respecting the Department of Customs and the Department of Inland Revenue.—(Sir John A. Macdonald.)

(In the Committee.)

Sir JOHN A. MACDONALD. This measure was discussed under the Bill establishing the Minister of Trade and Commerce. I shall ask the Committee to adopt the suggestion of the hon. member for South Oxford with respect to putting the Department of Customs and the Department of Inland Revenue either under the control of the Minister of Trade and Commerce or the Minister of Finance, as the Government may from time to time direct.

Mr. MILLS. I believe it would be in the public interest if the hon. gentleman had united these two Departments into one, placing them under the control of one Minister, and allow the Minister of Trade and Commerce to control trade and commerce independent of the subject of the collection of revenue.

Sir JOHN A. MACDONALD. We will not fight that out again. Whether you call him Minister of Trade and Commerce or Minister of Inland Revenue, the two sub-Departments will be under the one Minister.

Mr. MILLS. That would be true if the Minister of Customs were simply an administrative officer whose duty it was to collect revenue. But I understand that his duties are rather suggestive than administrative, and are quite distinct from the duties of an officer collecting revenue.

Sir JOHN A. MACDONALD. I was so much struck with the suggestion of the hon. member for South Oxford on that point that I put his suggestion in the Bill. There will be two Departments, the Department of Revenue and the Department of Trade and Commerce, and two sub-Departments.

Mr. MILLS. There will be four Ministers under the hon. gentleman's arrangement, and under the one I suggest there would be only three, the Minister of Finance, Trade and Commerce and Revenue. The hon. gentleman proposes there should be a Minister of Finance and a Minister of Trade and Commerce who are to be members of the Cabinet, and two other Ministers who are not to be members of the Cabinet.

Sir JOHN A. MACDONALD. These men will be political heads; under the hon. gentleman's system, they would be permanent.

Mr. MILLS. I would suggest the complete merging of the two Departments of revenue, and making them a Department separate and distinct from that of commerce.

The committee rose and reported progress.

PRINCE EDWARD ISLAND SUBSIDY.

Sir CHARLES TUPPER moved the second reading of Bill (No. 139) to provide for an additional subsidy for the Province of Prince Edward Island.

Motion agreed to, Bill read the second time, considered in committee, reported, read the third time and passed.

FREDERICTON AND ST. MARY'S RAILWAY BRIDGE COMPANY.

House resolved itself into committee on resolution (p. 862), respecting a loan to the Fredericton and St. Mary's Railway Bridge Company.—(Sir Charles Tupper.)

(In the Committee.)

Sir RICHARD CARTWRIGHT. The hon. gentleman had better explain the reasons for this.

Sir CHARLES TUPPER. This is a similar case, and the Bill is based on precisely the same principles as one previously passed by the House in regard to the St. John Railway bridge, and the object is the same. It is to enable the company to construct this bridge, to give such assistance as to enable the bridge to be constructed in this way, and the security which was taken in this case, as in the other case, is believed to be ample. It is for a smaller amount than will be required to construct the bridge, and the Government will have a mortgage for the whole amount. The parties will pay 4 per cent. interest on the money obtained, in the same way as they pay on the bridge at St. John.

Mr. JONES. Is it a railway bridge?

Sir CHARLES TUPPER. It is a railway bridge.

Sir RICHARD CARTWRIGHT. What is the estimated cost of the bridge?

Sir CHARLES TUPPER. About \$375,000.

Sir RICHARD CARTWRIGHT. What would we do with it supposing we resume it?

Sir CHARLES TUPPER. There is no probability of its being resumed, but if it were, of course, it would become the property of the Government, and parties would be enabled to use it as a railway bridge. In fact, it would be absolutely necessary for the railway to procure it, or to pay tolls for crossing it. We would be precisely in the same position that we are with the railway bridge that was constructed on the same principle at St. John, N.B., and which is now in operation.

Mr. WELDON (St. John). Where is it placed?

Sir CHARLES TUPPER. I believe a little below the present bridge.

Sir RICHARD CARTWRIGHT. What railway is it on?

Sir CHARLES TUPPER. It is the railway from Fredericton to Chatham. This merely gives permissive power to the Government, if the works fail to be carried to completion, or for any other reason, to take over the bridge. It does not oblige them to do it, but it simply gives them the power to take the bridge out of the hands of the company.

Mr. CASEY. By paying the difference and 10 per cent. I think the resolution provides that in the event of a failure to pay the interest, then the Government can resume it on paying the difference in the actual cost without interest.

Sir CHARLES TUPPER. It is on the same principle as the St. John bridge. The loan we authorise is a first charge on the undertaking. The company may pay off the loan at any time within 15 years after making the first advance. Then in addition to this being an absolute mortgage for 15 years, in the usual way, it gives power to the Governor in Council at any time, within five years, to assume possession of the undertaking by paying the difference between the two amounts then due to the Government for advances and interest, and the total amount expended by the company.

Mr. MILLS (Bothwell). It would be well if the hon. gentleman could tell us what business is being done on the roads that are being connected by this bridge, so that we know what the profits are likely to be. It might be a fair investment on the \$75,000, but not on the \$300,000. It is on the amount of business that is likely to be transacted by the railway companies using the bridge, that we must rely for any chance of being repaid.

Sir CHARLES TUPPER. We only advance 80 per cent of the money expended during the progress of the work.

Mr. MILLS (Bothwell). Still the Government ought to be able to show, before they ask the House to make such an advance, that it is going to be a fairly remunerative undertaking.

Sir CHARLES TUPPER. The roads have only recently been constructed.

Mr. WELDON (St. John). The parties received within five years \$375,000 as a sort of a bonus. The Government loan the money and run the risk of its being a paying property, but if they take it off the hands of the company, in five years, they receive 50 per cent. of the amount they put into the bridge. It seems to me a very large bonus.

Sir CHARLES TUPPER. It is an option to take it, and it is merely giving additional power to the Government.

Mr. WELDON (St. John). If the Government are obliged to take it, they have to pay 50 per cent. upon their advance of \$35,000. It is a large bonus for the Government to pay, where it assumes large responsibilities in advancing \$300,000. The bridge has cost something like \$650,000, and the Government advanced \$500,000.

Sir CHARLES TUPPER. The hon. gentleman is aware that the bridge has paid the company, and the company have paid the Government the interest.

Sir JOHN A. MACDONALD. The cases are now that the companies are obliged to pay the loan, principal and interest, within 15 years. If, within five years, the Government choose to exercise the option of taking the bridge, they can do so on paying 10 per cent.

Mr. WELDON. On the Government advance?

Sir JOHN A. MACDONALD. If they do not exercise that option within five years, then the obligation to pay it within 15 years remains, and if it is not paid within 15 years, then the Government may assume possession in the event of the company failing to carry out the undertaking as provided by their charter, on payment by the company of the difference between the amount advanced and 10 per cent. of the outlay on the work.

Sir RICHARD CARTWRIGHT. We understand that, but it does seem a curious provision that on an advance of \$75,000 they should be allowed a premium of \$37,500, and the First Minister did not deny this.

Sir CHARLES TUPPER. The 10 per cent. is only on the balance between what the Government have advanced.

Sir RICHARD CARTWRIGHT. The First Minister did not say that. I do not so read it. The words are "10 per cent. on what was expended by the company."

Sir JOHN A. MACDONALD. That does not mean the total expenditure by the company.

Sir RICHARD CARTWRIGHT. The company spends \$375,000; you advance them \$300,000 before they expend the \$375,000.

Mr. MITCHELL. That should be amended by saying, "exclusive of the amount granted by the Government."

Sir RICHARD CARTWRIGHT. If you insert those words there can be no objection.

Sir CHARLES TUPPER. We will say the total amount so expended "exclusive of the advances by the Government."

Mr. EDGAR. The claim of the Government is that this amount is to be paid within fifteen years, but it is not so stated in the resolution. It gives the company the privilege of paying it within fifteen years, but they are not compelled to pay it at all.

Mr. MILLS (Bothwell).

Sir CHARLES TUPPER. The mortgage will compel that to be done.

Mr. JONES. If the bridge should not prove remunerative, and the parties fail to pay interest, and the Government are obliged to take it over, what will the Government pay the owners of the bridge?

Sir CHARLES TUPPER. If they exercise within five years the option of taking it over, the Government must pay 10 per cent. on the balance between what has been expended and the amount the Government has advanced. If they take it under the mortgage, they will take it on the 80 per cent. advanced.

Mr. WELDON (St. John). I presume the Minister means that at the end of fifteen years the Government will have a right to foreclose the mortgage?

Sir CHARLES TUPPER. Clearly, and it will be so defined in the mortgage.

Mr. CASEY. I do not see why the Government should not have the right to foreclose the mortgage before fifteen years, the same as any mortgage.

Sir CHARLES TUPPER. So they will.

Mr. CASEY. The resolution does not say so.

Sir CHARLES TUPPER. The mortgage will provide that if the parties fail to pay the interest, the mortgage will be foreclosed.

Mr. CASEY. Under an ordinary mortgage if the company fail to meet their engagement, the Government could assume possession without paying any deficiency. The Government is going to commit themselves to loaning money to companies at abnormally cheap rates for the purpose of building railway bridges in one particular section of the country, because they all seem to be in St. John and Fredericton, whereas the Government should take a mortgage on the ordinary terms.

Sir CHARLES TUPPER. So they will do.

Mr. CASEY. But these points are not set forth in the resolutions. If the Government are going to furnish railways with money at 2 per cent. less than the companies could obtain it elsewhere, I think they should take the ordinary security.

Sir CHARLES TUPPER. They will.

Mr. CASEY. We are bound by the resolution and not by the hon. gentleman's words. The resolution does not say that we will take an ordinary mortgage.

Sir CHARLES TUPPER. The resolutions provide that the company shall have 80 per cent. of the amount to be expended advanced at 4 per cent. interest; and that being the case they would execute a mortgage as security. Under that mortgage it would be provided, as every mortgage provides, that on failure to pay interest the Government could foreclose the mortgage and take the property into their own hands. It also provides in addition that the Government may at any time exercise the right, under any circumstances, within five years to take the bridge into their hands by paying the amount expended over and above the advance of the Government at 10 per cent. on the balance they have expended over and above the amount.

Mr. CASEY. The terms are quite different to those of an ordinary mortgage, and when we are advancing money at an absurdly low rate we should have the same advantage as an ordinary mortgage. Perhaps the Minister will furnish us with some information as to the possible traffic?

Sir CHARLES TUPPER. I am afraid my estimate would not be of any great value. One hundred miles of railway have not been constructed from this point to New-

castle without expecting to have considerable traffic. It connects the whole of that country with the railway systems of the United States, by the railway now in operation from Fredericton, to the main line of railway between New Brunswick and the United States, and the Intercolonial Railway, on the one side; and running across one hundred miles from Fredericton, the line crosses this bridge and connects with a line of railway, which is a very good line, and it again connects with the United States. This would be a great advantage to that section of the country; it would be a very valuable bridge and very profitable. And the fact that Mr. Gibson and the gentlemen associated with him, have furnished the capital to build that road, and that they are prepared to assume this liability, is the best evidence as to the safety of the Government in giving this assistance for the construction of the bridge.

Mr. CASEY. The hon. gentleman was right in stating that he could not form any correct estimate with respect to the traffic over the bridge. This establishes a precedent which may prove useful to other undertakings and expensive to the Government. It is not only in St. John and Fredericton that railway bridges are required. There is one spoken of, in fact, I think it is arranged, across the St. Clair connecting more important lines than those just mentioned. It may bring demands on the Government for large loans on easy terms, and the hon. gentleman will find it is a precedent that will prove very embarrassing.

Resolutions reported.

RAILWAY ACT AMENDMENT.

Mr. POPE moved that the House concur in the amendments made by the Senate to Bill (No. 47) to amend the Railway Act.

Mr. EDGAR. Has the Minister of Railways read or considered the amendments which the Senate have taken the liberty to put in his Bill? I have the impression that he will hardly recognise his Bill. Besides other amendments, they have added a new and very important clause indeed, one which involves a change of the General Railways Act in an important particular. This clause repeals sub-section 2 of section 100 of the Railway Act, which was passed only three years ago. This clause provides that no person shall at any time be compelled to sell or convey to a company only a part of any house or other building, if such person is willing and able to sell or convey the whole of it. This clause of the Act is a very important change in the law with regard to the expropriation of private property, in the interests of the individuals whose property is to be expropriated, and no doubt against the interests of the railway. It was passed three years ago, and it has been consolidated in the Revised Statutes, but in this Bill the Senate have made an extraordinary amendment by repealing the clause of the railway act I have referred to, and I think the House is entitled to know the views of the Government upon such a change in their railway policy.

Mr. POPE. The Bill which passed the House three years ago was carried at the last moments of the Session, and it was not understood to have the meaning which has since been put upon it by the decisions of the courts in England, and that is the reason why this amendment has been made in the other House. As the matter now stands, the person whose property is expropriated would get all the damages which pertain to the property, or that he has any right to get by arbitration, or in some other way.

Mr. EDGAR. The Government assumes responsibility of making the change?

Mr. POPE. Yes.

Mr. EDGAR. I think the Senate has improved the Bill in another respect in taking away from the Railway Com-

mittee of the Privy Council the arbitrary power of imposing these new switches upon companies unless upon their application to the Government.

Motion agreed to, and amendments concurred in.

HARBOR COMMISSIONERS OF MONTREAL.

Mr. FOSTER moved the second reading of Bill (No. 92) to amend the Acts relating to the Harbor Commissioners of Montreal.

Motion agreed to, Bill read the second time, considered in Committee, and read the third time and passed.

DEPARTMENT OF AGRICULTURE.

Sir JOHN A. MACDONALD moved the second reading of Bill (No. 116) to amend the Act respecting the Department of Agriculture.

Motion agreed to, Bill read the second time, considered in Committee, and read the third time and passed.

YARMOUTH AND ANNAPOLIS RAILWAY.

House resolved itself into committee to consider resolution (p. 591) respecting the Yarmouth and Annapolis Railway.

(In the Committee.)

Mr. JONES. Do the Government propose extending the time provided in this agreement for the commencement of the work?

Mr. POPE. Yes, the Bill provides for that.

Mr. JONES. I suppose if the company do not commence within the time provided, the Government will proceed with the work themselves.

Mr. POPE. That is the intention, as provided by the Bill.

Resolution reported and concurred in.

Mr. POPE moved for leave to introduce Bill (No. 157) to confirm a certain agreement between Her Majesty and the Western Counties Railway Company and for other purposes.

Motion agreed to, and Bill read the first time.

HARBOR COMMISSIONERS OF QUEBEC.

Sir CHARLES TUPPER moved that the House resolve itself into committee to consider resolution (p. 592) respecting the Harbor Commissioners of Quebec.

Mr. LAURIER. The documents promised on this subject have not been laid before the House.

Sir HECTOR LANGEVIN. I have them here.

Mr. LAURIER. We should have had them before.

Sir HECTOR LANGEVIN. The documents are the same as those that were laid before the House last year. I thought the hon. gentleman wanted specially to see the plans.

Mr. LAURIER. What I asked for was the requisition of the commissioners for the present loan, and the report of the manner in which they have employed the former money advanced to them.

Sir HECTOR LANGEVIN. They simply ask that the money be advanced to them in the same way as it was advanced in previous years to complete their work. There is the report of the chief engineer showing the amount of

money that is required and for what purpose. There was a statement made last year which showed that there would be required nearly \$1,000,000 at that time to complete the docks, and the plan laid before the House showed three schemes. There were three lines to be followed from the gas works at the upper end of the docks down to the River St. Lawrence. One of those plans was to build a wharf from the gas works inside the dock, leaving south of it the wharves that are there alongside of St. Paul's street, and the other streets in the lower town. It was found that that scheme would entail a large expenditure for damages and for purchasing piers and wharves, and it was abandoned. It was afterwards thought that another line further north would meet the difficulty, by clearing the wharves and leaving a free entrance for them, but it was found that proprietors of those wharves would complain or claim damages for being deprived of a portion of their franchises by this wharf. Finally, it was decided that the third scheme, for a wharf coming from the gas works down to and through St. Andrew's street would be the best, and would not require a large purchase of property to come down to what is called the cross wharf between the tidal basin and wet basin. That plan was adopted last year. That work was put under contract, and the other works were also under contract, that is to say, the cross-wall and the dredging. The amount of money which the Government asked last year to borrow will cover all the expense that will be incurred this year and next year, and will be the last amount to be contributed by us to these docks. The same condition is to be imposed on this as on the other with reference to the sinking fund.

Sir RICHARD CARTWRIGHT. What are the receipts of those works?

Sir HECTOR LANGEVIN. The receipts by the harbor commissioners are from works outside these docks, because these docks at present give very little revenue, not being completed. The total revenue is this: They have a debt of about \$900,000 on which they pay 4 per cent. to the Government and 1 per cent. sinking fund; and, besides that, all their expenses, after keeping up the wharves and piers, are paid out of revenue. Once these docks are completed they will be, I hope, in a position to pay 4 per cent. and 1 per cent. sinking fund to the Government. It is expected these docks, the completion of which is waited for with great anxiety by the trade of Quebec, will give such a revenue as will compensate for the outlay. The amount of actual revenue is about \$60,000.

Sir RICHARD CARTWRIGHT. If I am correctly advised, the harbor trust owes us about \$3,000,000. That would be an annual charge already existing of \$150,000 with the sinking fund.

Sir CHARLES TUPPER. The total cost of this is only \$3,191,000, when this amount is added.

Sir RICHARD CARTWRIGHT. In the Public Accounts the hon. gentleman will see that the harbor at Quebec and the graving dock figure together \$3,000,000.

Sir HECTOR LANGEVIN. The total amount is \$2,875,000. In the hands of the Government \$190,000, amount advanced to date \$2,685,000. Deduct amount applied in reduction of old debentures, \$723,000, and the amount expended on these works is \$1,962,000. The different amounts required to complete the works bring up the expenditure to \$3,191,000.

Sir RICHARD CARTWRIGHT. If the hon. gentleman will look at our balance sheet, he will see that the Quebec harbor debentures are put down, the 1st July, 1886, at \$2,389,493, and the graving dock at \$724,000, which is under the same trust, making \$3,113,000, on the 1st July,

Sir HECTOR LANGEVIN.

1886. That means at 4 per cent. interest and 1 per cent. sinking fund \$155,000 a year. Then you propose to lend them \$1,250,000 by these resolutions, which would make \$4,363,000. That is very hard on the trade of any one city of the Dominion.

Sir HECTOR LANGEVIN. The hon. gentleman is right in his calculation, but the graving dock is separate entirely from these works. It is on the other side of the river. The charge on the harbor commissioners cannot exceed \$10,000 by the Act. In case the revenues of the graving dock are not sufficient to pay the interest, the harbor commissioners may contribute to the extent of \$10,000 and no more. The figures I gave the hon. gentleman were the figures in connection with the dry dock and the wet dock on the River St. Charles, on the Quebec side.

Sir RICHARD CARTWRIGHT. The present revenue is scarcely adequate to meet the interest.

Sir HECTOR LANGEVIN. It meets the interest of the old debt of \$724,000, but not the other expenses. They cannot have revenue from these works because they are only on the way, but in eighteen months they will be completed.

Mr. JONES. What is the cost of the tidal dock?

Sir HECTOR LANGEVIN. The tidal dock and the wet dock are going to cost, when completed, \$3,180,000.

Motion agreed to, and House resolved itself into Committee.

(In the Committee.)

Mr. LAURIER. I understand by what was said by the Minister of Public Works, that this grant of money is not made upon any application from the commissioners this year, but upon the report of the Government engineer.

Sir HECTOR LANGEVIN. Yes, but the commissioners, without making application, came here, and at Quebec they called my attention to the fact that there was only the sum of \$150,000, or \$180,000 in the hands of the Government, and that to meet the expenses of the year and next year they would require an additional amount.

Mr. LAURIER. They made no demand except the verbal demand, and the amount was given on the report of the engineer.

Sir HECTOR LANGEVIN. Yes.

Mr. LAURIER. I suppose the report of the engineer will be laid on the Table, and I suppose the report as to the employment of the moneys given last year will be placed on the Table also.

Sir HECTOR LANGEVIN. Yes.

Resolution reported and concurred in.

Sir CHARLES TUPPER moved for leave to introduce Bill (No. 158) to authorise the advance of certain sums of money to the Harbor Commissioners of Quebec, to complete the graving dock, and other improvements in said harbor.

Motion agreed to, Bill read the first time.

SPEEDY TRIALS ACT AMENDMENT.

Mr. THOMPSON moved the second reading of Bill (No. 146) to amend the Speedy Trials Act, Chapter 175 of the Revised Statutes.

Motion agreed to, Bill read the second time, considered in Committee, reported, and read the third time and passed.

EXPROPRIATION ACT.

House resolved itself into Committee on resolution (p. 952) respecting moneys payable by the Crown under the Expropriation Act.

Resolution concurred in.

Sir RICHARD CARTWRIGHT. What precise alteration does this make in the former practice?

Mr. THOMPSON. It is to be part of the Bill on the Order Paper which is to re-enact Chapter 39 of the Revised Statutes respecting the expropriation of lands, simply inserting, wherever it is necessary, the Exchequer Court instead of the Dominion arbitrators. As it is only a formal measure I would ask the House to read it the second time though it is only printed in French.

Bill (No. 141) to amend the Revised Statutes, Chapter 39, respecting the expropriation of lands, was read the second time, and considered in Committee.

Committee rose and reported progress.

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

Motion agreed to, and House adjourned at 12:40 a. m. (Thursday).

HOUSE OF COMMONS.

THURSDAY, 16th June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

DISTRIBUTION OF REVISED STATUTES.

Mr. CHAPLEAU moved for leave to introduce Bill (No. 159) to amend chapter 2 of the Revised Statutes of Canada, intitled: "An Act respecting the publication of the Statutes." He said: The only object of the Bill is to further regulate the distribution of the statutes. Under the law a copy of the statutes is distributed to every justice of the peace in the Dominion. The number of justices is now from 20,000 to 21,000. A very complete and intelligent compilation of all Acts relating to the administration of justice by justices of the peace has been prepared. Copies are now being bound and will be ready for distribution in the course of three or four weeks. We are now corresponding with the different Provincial Governments, with a view to induce them to appoint from the commission of the peace in each of the different parishes—in Quebec there is a commission of the peace for each municipality—a president and secretary or *custos* to whom we would send the statutes, instead of sending statutes to over 20,000 justices of the peace. The present Bill is merely to get rid of the clause which compels the distribution to every justice of the peace in the Dominion.

Mr. MILLS (Bothwell). Of course I am not going to oppose the motion for the introduction of the Bill, but I consider that the advantage of distributing the statutes among justices of the peace to be more than equivalent to any drawback on account of the expense. I believe very great benefit results from the distribution of the statutes. A large number of people become familiar with the law; it is one of the educational forces of the country; and if the hon. gentleman carries the Bill through the House, I am inclined to think the magistrates will not be so well informed as they are under the existing policy.

Mr. CHAPLEAU. It is an abuse of which we hear complaints everywhere—an abuse which would not exist if there

was not the other abuse—the appointment of a large number of people as justices that are not required by the necessities of the Provinces. I spoke of the matter last year, and my views appeared to meet the approval of the House. Yesterday, in the Joint Committee of both Houses on Printing, I suggested that if we were to spare the 20,000 copies which are distributed, we might, perhaps, somewhat increase the number of copies which are given to members of the House, who can distribute them to greater advantage than it can otherwise be done.

Sir RICHARD CARTWRIGHT. I am not going to oppose this matter, any more than my hon. friend, but I may say, that in the Province of Ontario, at any rate, I think the deprivation of this distribution will be seriously felt, and will excite some considerable and legitimate discontent. The hon. gentleman will find, I think, that the effect of this will be that a large number of persons, who have been in the habit of discharging the duties of justices of the peace, will be more or less seriously incommoded. I quite agree that the commission of the peace, in some cases, has been distributed far too profusely, but still there are a number of persons who render considerable service to the community, and, unless there is some provisions made to supply those who act as justices of the peace, inconvenience will result.

Mr. CHAPLEAU. The hon. gentleman is mistaken in thinking that I am not distributing to these justices of the peace all the laws which concern them. We have been doing so for some time, and we are now doing it on a more extensive scale. But the hon. gentleman will see that justices of the peace will be provided, to the fullest extent, with what is necessary for the performance of their duty, and they will be the first to thank the Government for the action we have taken. I do not know how it is in other Provinces, but in our Province there are hundreds of copies of the statutes which are never used at all, whereas, if they had good compendiums for magistrates, they would be very useful.

Mr. TROW. Do I understand that the statutes will be distributed indiscriminately to all magistrates on the commission in the Provinces? In many counties there are numerous magistrates who are duly qualified, but who have no desire or use for the statutes, for the simple reason that a large proportion of the work is done by police magistrates in the towns and cities. Would it not be advisable to distribute an extra copy or two of the Revised Statutes to members of the House and members of the Senate, who now have twenty applications for the one or two copies with which they are supplied?

Mr. CHAPLEAU. I may say that I received that suggestion yesterday, from the Printing Committee. I replied that the matter was in the hands of the House, but that if the suggestion was made by the Printing Committee, or by a resolution, we would be only too ready to comply with it. I may say, that the distribution has been done rather sparingly, though it is still very large, but if it is the desire of the House that a copy or two more be distributed to members of the House, it is for the House to say so, and I think they can be provided without much difficulty.

Motion agreed to, and Bill read the first time.

FIRST READING.

Bill (No. 160) to amend the Indian Act (from the Senate).—(Sir John A. Macdonald.)

MILITARY DRILL AT OTTAWA COLLEGE.

Mr. WALLACE asked, 1. Are any arms and ammunition furnished by the Government to the students of the College of Ottawa? 2. What is the description and number of stands of arms, and amount of ammunition, so furnished;

and have they any other than those furnished by the Government? 3. Are they uniformed? What is the description of uniform, and is the uniform in accordance with the regulations, and approved of by the Government? 4. Are they inspected by the Deputy Adjutant-General of the District? If so, why is his report not furnished? 5. Is there a drill instructor appointed to the students? Are they instructed according to the field exercise? Who is the instructor, and how is he paid? 6. Do they drill according to the tactics in use by the military forces of the United States?

Sir ADOLPHE CARON. I will read the following answers which has been communicated to me by the Deputy Adjutant-General of the district, Lieutenant-Colonel Lamontagne: 1. Arms were furnished to the students of the College of Ottawa, but no ammunition was issued. 2. Thirty short Enfield rifles and 41 Peabody rifles, and none other, were furnished to the college by its authorities or by the Department. 3. Yes. A cadet and Zouave uniform, not of Government pattern, or approved by the Department. 4. No inspection has been made since four years ago, but they were formerly inspected. 5. No instructor was asked for by the college since four years ago. Last April Captain Bliss volunteered as instructor, without pay, and acted for six drills only: the students not having time to attend regularly, drill was dispensed with. The instruction was according to our field exercise. 6. I cannot say if they also drill according to the United States military tactics, not having yet had an opportunity of seeing them.

SUPPLY—VALUATION OF CANADIAN PACIFIC RAILWAY ROLLING STOCK.

Sir CHARLES TUPPER moved that the House again resolve itself into Committee of Supply.

Mr. MULLOCK. Before this motion is adopted, I wish to call the attention of the House to a matter that has already received some attention from the Committee on Public Accounts: I refer to an item which appeared in the Estimates for the year 1886, of \$200,000 for the purchase of certain rolling stock upon that portion of the Canadian Pacific Railway known as the Yale and Savona's Ferry section. The first intimation that this House had in regard to this matter appears in the *Official Debates* for the year 1886, on page 1744. When the House was in Committee of Supply the then Minister of Finance asked for a vote of \$200,000 to pay for the purchase of certain rolling stock that had been used on that section of the railway. The hon. Minister, on that occasion, was asked to furnish the House with some explanations, showing why that sum should be voted. His explanations were extremely meagre, as any hon. gentleman will see on referring to the report. But he informed the House that the Government of Canada was under obligation to purchase from Mr. Onderdonk, who had been the contractor for the construction of that portion of the railway, a certain quantity of rolling stock, consisting of 29 locomotives and 397 flat cars. On those representations the House voted the \$200,000. Well, Sir, the explanations then furnished were wholly inadequate; they were not such as should have been furnished; and it became necessary for the Public Accounts Committee, this Session, to investigate that transaction. The first meeting of the Public Accounts Committee was held on the 28th day of April last. That was merely a meeting for the purpose of organisation, for the election of a chairman, and the committee decided to meet again the next day. The next day, the 29th of April, it did meet, and on that day I moved:

"For production before this committee of all books, letters, accounts, and other papers in connection with item \$200,000 on page 45, part I, of the Auditor General's report, including instructions to valuers Hanney, Reed and Clark, and their communications, with any Department Mr. WALLACE.

or member of the Government, and of all communications sent by the Government or any Department to them or any of them, and also all reports and valuations made by such arbitrators, or a majority of them, concerning the rolling stock used in construction of the British Columbia (Yale and Savona's Ferry) section of the Canadian Pacific Railway, and resumed by the Government, and the evidence submitted to said valuers in connection with such valuation."

You will see that this resolution directed that all the valuations made by the arbitrators, or by a majority of them, should be submitted to the committee. That resolution was carried on the day on which I moved it. The committee met again on the 17th of May, and the order of the committee had not been up to that time fully complied with; in fact, what was done was a substantial, and, I believe, an intentional, evasion of the order of the committee. The only papers submitted to the committee, consist of a letter from the Department of Railways to the Auditor General, directing him as to the payment of the amount of a certain award, to which latter was annexed a copy of what purported to be a certain award. This paper, called an award, which was submitted to the committee that day, purported to be a valuation of certain rolling stock, namely, nine locomotives and 189 flat cars, and the amount at which the arbitrators valued that stock was \$202,860. There is a memorandum at the foot—"Approved: C. S."—which I suppose means Collingwood Schreiber, the Government Engineer, deducting an item of \$3,325, and striking a balance of \$199,535 as the amount represented by this report as found by the arbitrators to be due in payment of this rolling stock.

Sir CHARLES TUPPER. What was the item deducted?

Mr. MULLOCK. One locomotive, said by the engineer to be unfit for service. You will observe, therefore, that on the day I mention, the 17th of May, the only document which was produced before the committee was the award, which I may refer to as the award of March, 1886, thus leaving the committee under the impression that this was the only and final award in connection with this matter. Well, Sir, it seemed incomprehensible that an award of this magnitude could have been arrived at, without there having been a report, or any papers, showing how the arbitration had been entered upon, or any correspondence in connection with the matter. Accordingly, I called the attention of the committee to what appeared to be a neglect to obey the order of the committee, and the committee, at my request, ordered that the Deputy Minister of Railways, Mr. Trudeau, should attend the next meeting of the committee, to be examined as to whether or not there were other papers in the custody of the Government. The next meeting of the Public Accounts Committee was held on the 31st day of May, and Mr. Trudeau attended on that occasion, in obedience to the order of the committee. At the same time there were presented to the committee the papers which I now hold in my hand, and accompanying those papers was the following communication:—

"OTTAWA, 8th May, 1887.

"SIR,—Referring to your letter of the 10th ult., I have the honor, by direction, to transmit to you herewith, copies of all documents of record in this Department on the subject of the valuation of the rolling stock used in the construction of the British Columbia (Yale and Savona's Ferry) section of the Canadian Pacific Railway, and resumed by the Government.

"I am, your obedient servant,

"A. P. BRADLEY,

"Secretary."

This letter was directed to the Auditor General, Mr. J. L. McDougall, and in the margin of this letter is a memo. setting forth the numbers of the documents in question, in all 14. You will observe that on the 8th May, the Department of Railways, through their secretary, certified that the documents which I now am about to quote from, were all the documents of record in the Department touching the valuation in question, and you will further observe that that

letter is an answer to the order of the committee that there should be laid before the committee, not only all letters and correspondence, but every valuation, whether made by all the arbitrators, or by a majority of them. What was the case presented, according to the papers so produced? It appears that in the month of October, 1885, Mr. Onderdonk, the contractor, was in the city of Ottawa, and I should judge, from the language of the correspondence, had had frequent interviews with the Railway Department during that time. He pressed the Government to take over certain rolling stock, which he had used in the construction of that section of the railway, and he comes to Ottawa, apparently quite prepared to deal with that matter, because, in his letter of the 22nd October, 1885, he begs leave to name Mr. M. J. Haney as one of the arbitrators for the valuation of the rolling stock, and a number of letters passed between Mr. Onderdonk and the Department of Railways. There was great activity shown on this occasion by the Department in answering the letters, and the correspondence amounts to this: that the Government, represented by the Department of Railways, had decided to go into an arbitration to value this rolling stock, and Mr. Schreiber, acting for the Government, in a letter dated the 22nd of October, says as follows:—

"I see no reasons why steps should not at once be taken to have the rolling stock valued."

As the result of this movement on the part of Mr. Onderdonk, an arbitration was agreed upon. Mr. Onderdonk nominated Mr. Haney, who had been, I am informed, his manager in connection with that work, as his valuator. The Government appointed Mr. Reed, the mechanical superintendent of the Canadian Pacific Railway at Winnipeg, as their valuator, and these two parties chose a third valuator, Mr. Peter Clark, mechanical superintendent of the Northern Railway, Toronto. Mr. Schreiber, in his letter of the 24th October, to the Department of Railways, says:

"I desire to say that it is impossible for me, just now, to visit British Columbia for the purpose of making this valuation. I, therefore, suggest that the value be arrived at by three men, experts, one to be appointed by the Government, another by the contractor, and the parties thereof to agree upon a third man before the work of valuation is commenced."

Thus, you will see that the Government and Mr. Onderdonk had either verbally or otherwise, come to an understanding that there was to be an arbitration, that each was to choose an arbitrator, and that the two arbitrators were to choose a third. Well, that arbitration was entered upon on the 4th November, 1885. The Department of Railways, through their secretary, notified Mr. Clark that he had been nominated as third valuator, to proceed to British Columbia to value the Onderdonk rolling stock. On the 9th November, 1885, Mr. Schreiber writes to Mr. Reed, the Government arbitrator, giving him instructions as to the basis upon which he is to proceed, and after quoting from the contract, he says:

"You will perceive that the value is to be taken at the close of the contract, meaning the date of the completion of the contract, which date will be given you by the Hon. Joseph Trutch, Dominion Agent at Victoria, B. C., or by Mr. D. McLeod, and L. B. Hamlin, engineers in charge of the contract, if the three arbitrators are unanimous."

You will observe the Government consider they have entered into an arbitration—

"The amount of the valuation you will report to me conjointly with them, or if any of the two arbitrators agree upon the value the two will report to me conjointly, and I shall be pleased to receive a separate report from the other valuator, or, if none of you can agree, I will be glad to receive a report from each separately."

Then he goes on to speak of Mr. Clark making arrangements to meet them. What was the next communication, in order of time, produced before the committee, in obedience to the order of the committee that all awards, all valuations, all correspondence, all instructions, were to be

produced before the committee? It is a document dated 13th March, 1886, and it reads as follows:—

"Sir,—In reply to your instructions requesting us to furnish the report showing our estimate as to the value of the rolling stock belonging to the contractor which was used in the construction of the British Columbia section of the Canadian Pacific Railway between Yale and Savona's Ferry, the date of the completion of the contract July, 1885. Taking into consideration the isolated position of the stock at that date and the expense involved in placing it there, in other words, what would be the cost of duplicating, because, at that date, we beg to submit the annexed statement amounting to \$202,860.

"We are, Sir, &c.,

"W. H. REED,
"M. J. HANEY,
"P. OLARK."

Annexed to this communication are the details of their report, showing that they value the locomotives at \$67,350, 189 flat cars at what is necessary with that \$67,000, to make up \$202,860. Annexed to that is the memorandum from the Government railway engineer, being his report on that valuation, and he reports as follows:—

"I consider this a fair valuation for the rolling stock in its present isolated position in July, 1885. Engine No. 2, however, should not appear on the list, as it is represented by experts not to be serviceable. This will reduce the amount from \$202,860 to \$199,835."

Then, there are subsequent departmental papers for the purpose of having that report passed through the various Departments, and finally acted upon. Therefore, you will see that, as a result of the efforts of the committee to obtain light upon this transaction, we began by moving for the production of everything, and the first thing we got was a statement that the arbitrators had valued the property at the sum I have named, and at last we know by the correspondence that there was only one award, and that all the papers were not produced. Any person, after perusing these papers, would have discovered from their imperfect character that documents were not submitted which were, or which had been in existence. Accordingly, on the 31st May, when Mr. Trudeau appeared and was examined by the committee, it came to the knowledge of the committee that the return was not complete. I pointed out to the committee on that occasion wherein it must be to some extent incomplete, and Mr. Trudeau said that he himself knew nothing about the production, whether the order of the committee had been obeyed or not, and the committee, at my request, directed Mr. Trudeau to see whether the return was complete or not. On the 8th June, the committee again met, and on that occasion Mr. Trudeau again appeared, and as a result, the bundle of papers which I now hold in my hands were produced to the committee in addition to those which had been already produced—some forty in all. Forty documents were produced on the 8th June, which, according to the certificate of the Department on the 8th May, had no existence at all. Now, what case do those papers disclose? Why were they withheld? Was it a pure accident, or was there a motive in it? I leave it to the House to say whether this was an accident or not? In my own heart I cannot believe it was. These papers show that on the 8th January, 1886, a communication was sent to the Department of Railways to the following effect—this letter is dated January 8th, 1886, is signed by Peter Clark, and is directed to A. P. Bradley, Secretary, Department of Railways and Canals:—

"Sir,—On the 9th November last, I received a letter from Mr. Schreiber, chief engineer of Government railways, advising me that I had been appointed as third valuator to appraise the engines and flat cars, the property of the contractors, used in construction on the British Columbia section of the Canadian Pacific Railway, between Yale and Savona's Ferry, the valuation to be taken at the date of completion of contract. The other valutors were Messrs. Haney and Reed. I left Toronto on the 17th November, and met Mr. Reed at Victoria, B.C. Mr. Haney had been suddenly called away to Ontario, so he instructed Mr. Armstrong, his assistant, to act in his stead. He, Mr. Reed, and self, examined the stock, which was massed at Port Moody and Yale. Mr. Reed made out statement of his valuation of the stock, which I brought on to Ottawa, where I met Mr. Haney. It was then arranged for Mr. Reed,

who had remained over at Winnipeg, to come to Toronto to meet Mr. Haney. They had an interview, but found that they could not agree upon a joint valuation, the chief point at issue between them being, that Mr. Haney maintained that the stock, being in an isolated position, was enhanced in value, and, as it had cost the contractors heavy expenditure to get it there, therefore this valuation should cover a large proportion of this extra expense, over and above the actual value of the stock. Mr. Reed objected to this view of the case, and contended that any extra cost of getting the stock there must have been foreseen when the contract was undertaken; also the letter of instructions he received does not give him authority to entertain such views. The isolated position of the stock does not in any way enhance its value. I concur with Mr. Reed in his views on this matter, and his valuation."

Mr. Reed, the Government's valuator, and Mr. Clark, the umpire, both concur that the isolated position of the property does not enhance its value.

"Our examination of the stock was completed December 3rd, 1885, but I learned from parties to whom I was directed by letter of instruction from Mr. Schreiber that the contract was completed in July previous. I informed Mr. Reed of this, and he has made allowance for the time between inspection and completion of contract in the valuation. I suppose Mr. Haney will send a separate report to you."

You will thus observe that the arbitrators had before them on this first occasion this whole point as to whether the location of the rolling stock in any way affected its value, and they adjudicated upon that point. On that occasion, the two independent arbitrators agreed and signed the award, and annexed to that award is a schedule setting forth the rolling stock in question, and a recapitulation setting forth this finding; and what do you think that valuation shows? It shows that they valued the locomotives at \$38,950, and the flat cars at such another sum as together would make \$72,665. On this occasion they made a report that the property which they valued, being exactly the same property as they valued later on, was worth \$72,665. Why was that paper not produced in obedience to the order of the committee that all valuations were to be produced? That report was sent to the Government on the 8th January, 1886. When did they receive it? I suppose we may assume that they received it on the 9th January. On the 9th January Mr. Schreiber, I presume, along with the head of the Department, learned that the arbitrators had valued this property at \$72,665. What course do you think the Department of Railways adopted in regard to that matter. We find them suddenly awaking to the idea that the valuation is too low, and we find them moving and making every effort to show that the valuation is too low. The first intimation is a letter from Mr. Reed himself, which was produced on the examination of Mr. Peter Clark on the 8th June. Mr. Reed writes to Mr. Clark from Ottawa as follows:—

"January 11, 1886.

"DEAR CLARK.—Saw Mr. Schreiber this morning, also Mr. Pope. They appeared to be afraid to open the letter, and Mr. Pope sent for Mr. Schreiber. What was said I cannot say, but I have to be here on Thursday, when, I presume, a meeting will be held. This matter is a fizzle, and it appears to me that we are to be used as tools. Haney is not here. I told Mr. Schreiber I wanted to get away. You had better be here on Thursday sure, and we will wind the whole business up. I go to Montreal this p.m. Any messages you send in care of Brown & Co., will find me."

It appears from the evidence which I hold in my hand that Mr. Schreiber being examined on this point, admits that he objected to the award. It was too small, it did not amount to enough to please him; and he further stated that all he did in the matter was done with concurrence of his chief. We know that. I do not propose to attach responsibility to subordinates. They had to obey the orders of their chief, and their chief was cognisant of everything that took place in this matter. Therefore, when Mr. Schreiber asserts that he objected to the smallness of the award, coupled with the fact that he acted with the knowledge of his chief, he asserts that the Minister of Railways took the initiative in causing to be set aside an award which fixed the value of this property at \$72,000 odd, which was substituted by another award which cost this country about \$200,000. Well, they did not go into that second award all at once. In this

Mr. MULOCK.

second bundle of papers, which I hold, the papers which were not produced at first, are the following communications: Telegram from the Department of Railways, dated January 12, 1886, to Peter Clark:

"The Minister would like you to be here on Thursday morning, without fail, to meet Mr. Reed and Mr. Haney."

On the 12th January the Minister manifested his desire to see Mr. Clark; I suppose in regard to this award; and on the same day Mr. Bradley writes a letter to Mr. Clark, as follows:—

"Referring to the report jointly submitted by you on the 8th inst., giving the value of certain rolling stock used on the Canadian Pacific Railway works in British Columbia under contract to D. O. Mills at the time the work was completed in July, 1885"—

They did in their report show its value in 1885, and Mr. Clark expressly states in his letter accompanying their first report, that they had made a discount from the value, having regard to the fact that they were told the value of July, 1885. The letter goes on to say:

"Taking into consideration the fact that it had already been brought into the Province, and the cost which would have been entailed had its transport to be provided at that date."

Mr. Clark telegraphed in reply:

"Will leave for Ottawa to-night."

That is the 12th. I also find a letter of 11th January, from Mr. Onderdonk to Mr. Bradley, as follows:—

"Agreeable to the request of Mr. Schreiber, Engineer in Chief of Government Railways, I telegraphed for Mr. Haney to meet Mr. Reed in Ottawa on Thursday, but, unfortunately, Mr. Haney is very ill with scarlet fever, and cannot come."

You will observe by the letter of Mr. Onderdonk to Mr. Bradley, that on the 11th January Mr. Schreiber had been urging Mr. Onderdonk to get Mr. Haney here. The Government had been anxious to speed this matter so as to do away with this old award and get a new one in its place. The next paper I propose to read is a letter from Mr. Reed, dated Winnipeg, 18th February, 1886, to Mr. Bradley:

"Mr. M. J. Haney notified me of his being in Winnipeg. I have had an interview with him, and have come to the conclusion to make no further report than what has already been submitted to you by Mr. Clark and myself on the 8th January last."

You will observe that the Government have been endeavoring to dragoon these men into making a new award.—

"My reasons for not complying with your instructions of 12th January, is owing to the fact that I cannot conscientiously submit a further report, not knowing the expenditure incurred for transportation. Mr. Haney, no doubt, can supply the information more correctly, having paid freight charges to the several companies for which he must hold vouchers."

Then we have a telegram from Mr. Reed dated at Calgary, 22nd February, 1886, to Mr. Schreiber, as follows:—

"I certainly don't know what charges were made for transportation to British Columbia, therefore fail to see how I can report per request received when Clark and myself were at Ottawa. Wrote Mr. Bradley on 17th instant."

Then Mr. Bradley telegraphs on the 23rd to Mr. Reed, as follows:—

"Your telegram to Mr. Schreiber and also your letters of the 17th received. I am instructed by Minister to say that it is not necessary that you should ascertain the cost to Onderdonk to take the rolling stock to British Columbia; the question being what was the value of the said rolling stock in British Columbia at the date of the completion of the contract."

You will observe that here, on the 23rd February, 1886, the Department of Railways again asserted that the true question is: What was the value of the said rolling stock in British Columbia at the date of the completion of the contract, and the two arbitrators, Reed and Clark, by their award of January, 1886, declared that the true value of that rolling stock in British Columbia on the date of the completion of the contract was \$72,665. Well, you see that the way of putting it by Mr. Reed did not quite meet the case. They were bound to get a new valuation. They had

to find a reason to induce, in some way or another, these valuers to make a new report. Mr. Bradley, on 22nd February, 1886, with most laudable energy, again telegraphed Mr. Reed as follows:—

"No reply to my telegram has been received. Seeing that you have undertaken to act on this arbitration, the Minister urges that a report be sent in at once, under the terms of the instructions sent to you."

"On the terms of the instructions sent you." They have certified that they had made a report on the terms of the instructions sent, which terms were confirmed by the letter of Mr. Bradley, which I have just read. Mr. Reed telegraphs in reply on the 1st March:

"Message received on my return from mountains. Have wrote you this afternoon."

Here is the letter from Mr. Reed to Mr. Bradley dated 1st March, 1886:

"DEAR SIR,—On my return from the mountains I received your messages of the 23rd and 27th ultimo. I wish to state that I have acted up to my instructions, received from Mr. Schreiber, Chief Engineer of Government Railways, to the best of my ability, which was jointly submitted to you on the 8th January, giving the value of certain rolling stock used on the Canadian Pacific Railway works in British Columbia."

On the 1st March, 1886, you will observe that Mr. Reed declared that he had then made his return, and he again confirmed the action which he and the umpire had adopted in January, 1886. Well, we then find a letter from Mr. Onderdonk to Mr. Bradley, dated 3rd March, 1886, wherein he says:

"I submit, herewith, a letter of even date just received from Mr. Haney, together with copy of letter and telegram received by Mr. Haney from Mr. Reed, all pertaining to the British Columbia rolling stock. I sincerely trust that the Government will deem it but just and fair to accord me prompt action in the matter, by appointing some one else without delay to fill the position to which Mr. Reed was appointed and which he has declined to fill."

Then we have a telegram from Mr. Reed dated 21st February, 1886, to Mr. Haney:

"I cannot see my way clear to report on that which I know nothing about. Still adhere to the contents of letter. Not necessary to wait."

Then on 18th February, we have a letter from Mr. Reed to Mr. Haney, which was submitted to the Department:

"DEAR MR. HANEY,—I called to see you at the hotel this afternoon, and waited over an hour, am sorry to say you did not return. I received your memorandum *re* rates, for which accept my thanks. At the same time I have concluded to make no further report or comply with Mr. A. P. Bradley's letter of 12th January. I have written to Mr. Bradley this p.m. regarding same.

Thus the House will see that Mr. Reed stands firm not to compromise himself by recalling, on his own judgment at least, the valuation at which he had arrived. Throughout the correspondence so far as I have gone hon. members will observe that Mr. Reed, the umpire, takes the ground that the whole subject of reference had been considered and adjudicated upon, and that he had nothing more to say. On 3rd March, Mr. Haney wrote to Mr. Onderdonk, urging him to take steps to have Mr. Reed displaced and a new arbitrator appointed. Mr. Onderdonk, you will observe, is an all powerful man, or he is supposed to have had great power with this Government. Mr. Onderdonk at last is appealed to to use his influence and get rid of the umpire who had up to that time acted and who had made an award. Then we have what seems to me incomprehensible—I believe there are other papers that have not been produced—we come to some telegrams and letters showing that those gentlemen are all to meet at Ottawa and enter into an award, at all events to meet in Ottawa. The next paper—I presume it is a telegram although it is not so marked—is from Mr. Bradley to Peter Clark, dated 11th March, 1886:

"Messrs. Reed and Haney meet here to-morrow (Friday) on Onderdonk rolling stock business. You should be present."

Up to 11th March, Mr. Reed refused to agree to be mixed up in this matter. He states to Mr. Haney, he states to the Government, by letter and telegram, throughout the whole

month of February, that he had fully dealt with this whole matter, and he declined to withdraw his judgment and issue a new valuation; but, without any explanation showing how the change came about, we find, suddenly, the three arbitrators collected in the city of Ottawa, and then, as a result, we find them making the award to which I first referred, valuing this property at \$200,000 odd. If any hon. member will look at the evidence taken before the Public Accounts Committee, he will find that Mr. Clark was examined, and when he was asked how he came to make valuations so widely apart, what was his explanation? He said that that second valuation of his was not made on his own judgment or responsibility at all, that he came to Ottawa, and the Government, through the Engineer in Chief, told him to make certain additions to it for cost of transportation, and he simply acted mathematically and obeyed instructions, and he declined to take any responsibility in connection with the second award. But the award was got, an award at least was signed by those three men. Hon. members may ask why Mr. Reed was not there. An application was made to the committee to have Mr. Reed summoned as a witness, and a telegram was read to the committee from him saying he was, I think, in St. Paul, that he could not come and if we desired any information to send the questions and he would answer them. Thus I have traced, so far as the facts before the committee enabled me to do so, how it came about that we have now a liability—if it has not been paid, I suppose it has been paid?—

Sir RICHARD CARTWRIGHT. It has been paid.

Mr. MULOCK,—of \$200,000 odd, made really at the instigation of the Department of Railways for the payment of an account which could have been settled for \$72,665. It is due to the country that that transaction should be explained. What do hon. members think the Government did with this rolling stock after they got it? The Government were apparently anxious to get it because they were hard up for rolling stock. Hon. members will observe that the first arbitration was made in January; but if we assume that they did not utilise the rolling stock till the second arbitration was arrived at and payment made, they were entitled to it at the time of the payment, which I understand was shortly after the House voted \$200,000 last year. So in June, 1886, the rolling stock became the property of the country, the amount awarded having paid for it. What did the Government do? Look at the evidence of the Engineer in Chief and see how the property was taken care of. He tells us that when the property was bought it was lying along the line, cars and engines being on the sidings, and that for months, even until this enquiry commenced, the Government took little or no care of it; they allowed the engines to remain exposed for months without taking any steps to have them housed, for they did not appear to want them, they were in fact a burthen to the country, and with the exception of one locomotive which the Canadian Pacific Railway took without permission and used, and with the exception of some flat cars which for a short time the Government allowed the Canadian Pacific Railway to use. Even that little attempt to make use of the flat cars was not made until many months after the property was paid for. It was not even until the fall of 1886 that Mr. Schreiber or the Government, for I do not blame Mr. Schreiber, for I hold the Government responsible and he was only obeying orders, that the least steps were taken to make anything out of the property for which we have paid so dearly. Even then the Government made no definite bargain. They cannot produce any paper showing what bargain they made with the Canadian Pacific Railway Company for the use of the property, and it looks as if that company had been allowed to help themselves to that property. But it came out in evi-

dence that some of the rolling stock had now left the west and was going to the east. When did it go? Not until this enquiry was commenced, not until the matter was brought before the committee and before the public did the Government take steps to exercise their ownership of the property or protect it from decay, but they allowed the locomotives to remain exposed to the weather of the North-West or British Columbia, and I suppose if the committee had not moved in the matter they would still have been rusting and going to pieces on the prairies and in the valleys of British Columbia, I think it was due to the country that this matter should be presented to the House. I will call your attention to the fact that at the very first meeting of the Public Accounts Committee efforts were made to have the matter thoroughly sifted and that, with that skilfulness for delay which characterises committees under the control of a majority in this House, enquiry was postponed day after day until at last, at the very last meeting of the committee, this mere portion of the evidence to which I have referred was obtained. I fully believe that were this matter properly investigated by a proper tribunal it would be disclosed in a more serious light than has been given it by the evidence which was not taken under oath—the committee has no power to examine under oath—and, therefore, what we have is simply voluntary evidence from, in some cases, unwilling witnesses. Under these circumstances, I think it is due to the country that the Government should explain their connection with this transaction, and what is more important, take steps to have a proper enquiry made under oath. I may say, too, that I have received information since the committee closed the enquiry, to the effect that the Government endeavored to sell portions of this rolling stock to the Canadian Pacific Railway, and that, with regard to the flat cars, the Canadian Pacific Railway were only willing to give some \$60 apiece for cars which we paid some \$200 apiece for, a few months before; and that as to the locomotives, they declined to take them at any price. I have been so informed by a source, which I consider sufficient to justify me in making this statement to the House.

Sir CHARLES TUPPER. As I had the honor of holding the position of Minister of Railways and Canals when this contract was entered into, the House will perhaps permit me to say a few words on the subject. I regret very much that the demands upon my time made it impossible for me to attend any meetings of the Committee on Public Accounts except the last, and I then made a great effort to attend in consequence of my hon. friend and colleague the Minister of Railways informing me that he was obliged to be in attendance at the Railway Committee at the same hour. I, therefore, have not that full information upon the subject that the hon. gentleman has who has just addressed the House, for he has, of course, watched these proceedings and been present from the first. But I think I know enough of the transaction, and I think enough was disclosed at the last meeting of the Committee on Public Accounts when I was there, to put any person who approaches this matter with an unbiassed mind in possession of the facts as they stand, and to lead him to a much more charitable conclusion than that at which the hon. gentleman has arrived. I may say, Sir, that when the question of constructing this portion of the railway in British Columbia was taken up, neither I or any other member of this House, nor any person in this country, supposed that for many long years to come—aye, Sir, at a much later date than that at which I am now speaking, there would be any communication by rail between British Columbia and this portion of Canada. I want the House to bear that fact in mind, because it is a most important fact in connection with this contract. I knew, as every person familiar with railway construction

knows, that the cost of constructing railway works in one of the most difficult portions of any country in the world in which railway works were ever constructed, would be largely affected by the remoteness of the position and the difficulty of getting the railway stock, and the engine power, and railway cars, necessary for the construction of that railway to that portion of the country. And not only, Sir, was there no communication by rail between the other portions of Canada and British Columbia, but there was no communication by the Northern Pacific Railway to the Pacific coast, nor was there any expectation at that time that at any early day there would be railway communication, even by the Northern Pacific Railway. The mode by which I reached British Columbia when I first went to examine these works, a year after they were under construction, was by Chicago and the Union and Central Pacific Railway to San Francisco, and by steamer from that point to British Columbia. That was the only means by which you could send rolling stock or any other appliances from this portion of Canada, or from any portion of the United States to British Columbia—to send them by the Union and Central Pacific Railway to San Francisco, and thence by steamer to British Columbia. Now, Sir, I took this question up very seriously with Mr. Fleming, then Chief Engineer of the Canadian Pacific Railway, when these advertisements asking for tenders were first offered to the public, and upon his advice and with my hearty concurrence we came to the conclusion that it would be in the interest of Canada, in the interest of the economy of public money, if we were to state in the advertisements calling for these tenders that, at the conclusion of the work, the Government would be prepared to take off the hands of the contractors the rolling stock used in the construction of the road—and why? First, because we believed we would save a great sum of money which would otherwise be added to the amount at which they would tender, if they felt that this rolling stock, placed there at such an enormous cost as it must be placed there, would, at the conclusion of the work, be thrown on their hands. But that was not all. We expected that, for many long years to come, after the completion of the road, it would be operated as a Government work, and that, therefore, we would require for the operation of the road such rolling stock as would be left, or such of it as was in a condition to be of value, at the conclusion of the contracts. I do not believe there is a gentleman on either side of the House who will not say that the Government, that I, that the Chief Engineer of the Canadian Pacific Railway, exercised a wise forethought in placing it prominently before the public when we invited tenders, making it as we did a part of the contract with the contractors, that at the conclusion the rolling stock would be taken off their hands. And in what way? At the valuation of the Chief Engineer. The hon. gentleman knows that the public always assume, and rightly assume, that a high public officer, a qualified man, a man who can hold such a position as Chief Engineer of a great work like the Canadian Pacific Railway—will be accepted by the public generally as a man who will do that which is honest and straightforward between the Government he serves and the contractors who are employed by the Government; and consequently the contractors were willing that a condition of the contract should be that we should take over the rolling stock upon the valuation of the Chief Engineer. Now, Sir, there is the whole case. When this contract was made, as I have stated, no person believed that at this hour there would be any communication between British Columbia and this portion of Canada by rail. No person believed that the Rocky Mountains would be penetrated, and that the road would be completed. When we made a contract two years afterwards, for the completion of that road by 1891, and I brought that contract down to this House, we were met by hon. gentlemen oppo-

site with the statement that we would not be able to secure the construction of the through line of the Pacific Railway by 1891. It is necessary to bear that in mind, because it has the most vital bearing upon the very question under consideration, that is, the value of this rolling stock. Now, Sir, when the road was completed, the contractor naturally asked my hon. friend who was Minister of Railways to carry out the contract by sending his chief engineer to value that rolling stock, paying him for it according to the terms of the contract. The House knows, that, at the time of the completion of the contract, there was no communication by rail between British Columbia and the other portions of Canada; and, even assuming that there had been, I say that an element that would enter into the calculation when valuing the rolling stock, would be the belief on the part of the contractor and on the part of the Government, when the contract was made, as to what the means of communication would be at the date of the completion of the contract. The Government assumed, and had a right to assume, that when the contract was completed the engineer would value that rolling stock according to its value in British Columbia unconnected by rail with any other portion of Canada. I think the House will agree with me in that position. Now, what took place? The chief engineer said: "I am not competent to put an accurate value on half worn rolling stock, or on rolling stock that has been in use; I am a railway engineer, but not a mechanical engineer"; and, therefore, he called upon the Government to furnish experts for the purpose of determining what the value of that rolling stock was. My hon. friend who has just resumed his seat said they were arbitrators, and he is warranted in saying so, because the instructions they received constituted them arbitrators. I am quite willing to concede that; but I will say that notwithstanding the fact that they were termed arbitrators, and that it was expected that their valuation would be accepted, that did not relieve the Government from the obligation to make such a valuation on such information as they could obtain as would commend itself to the judgment of the Government through their engineer at a fair and just valuation.

Mr. MULOCK. You say he did not know what the value of such property was.

Sir CHARLES TUPPER. I say what the Chief Engineer stated in evidence before the committee, and I was sorry to hear my hon. friend express his regret that the testimony was not sworn testimony, because Mr. Collingwood Schreiber, who gave his testimony before that committee, is a gentleman of very high standing, and holding a very responsible position in this country. He is a gentleman who enjoyed, and deservedly enjoyed, the full confidence of hon. gentlemen opposite and of the leader of the Government when those hon. gentlemen were in power, as a man entitled not only by his great attainments and his great ability to the position he occupied, but by the confidence that the Government placed in him as a man of integrity and personal character. I do not know the other gentleman; I do not know Mr. Clark; but I heard his testimony, and from the straightforward manner in which he gave it, I come to the conclusion that there is no reason to suppose that any testimony that that gentleman would give would be affected in the slightest degree if he had been under oath instead of speaking as he was in his position as an engineer.

Mr. MULOCK. As far as those gentlemen went, I did not say anything as to whether I doubted their evidence or not. What I said, and what I repeat here, is that I think it is unfortunate that examinations before the Public Accounts Committee are not taken under oath.

Mr. FERGUSON (Leeds). You said in this special case.

Mr. MULOCK. I say in this special case and in all cases, and my reason for it is this: When you have witnesses under oath, and all the other concomitants that attend an examination under oath, you have a better plan of examining exhaustively into the whole work. It is felt when not examining under oath, that it is not of much use to call adverse witnesses.

Sir CHARLES TUPPER. I do not believe those gentlemen were adverse witnesses.

Mr. MULOCK. I am not referring to them.

Sir CHARLES TUPPER. They were called there as public servants.

Mr. MULOCK. I am referring to those who were not there.

Sir CHARLES TUPPER. Then, those I have nothing to say about. I am speaking of the gentlemen who were there, and I say that I believe they gave their testimony in a straightforward manner, and what was that testimony? It was this: Mr. Clark stated that the value they put on that rolling stock by their first report to the Government, was the value that, in its then condition, it would possess if it were here. Mr. Clark said, what would at once commend itself to the judgment of any gentleman, that he was speaking of the value of 8 engines, four of which had not been in use for a year, and 169 flat cars, 149 of which had not been in use for a year. It was easy to see that the valuation placed in the first instance on that property, \$72,000 was an extremely low value for that property had it been in Ottawa instead of being on the shores of the Pacific in British Columbia, as it was. The hon. gentleman says that Mr. Clark stated that he took his instructions from the Government, and that he did it mathematically; but, Sir, he did not say that he had been induced or requested by the Government to put a higher value on that rolling stock than would be effected by adding the cost of placing that rolling stock in British Columbia.

Mr. MULOCK. Why could not Mr. Schreiber have done that?

Sir CHARLES TUPPER. It is not for me—it is for Mr. Schreiber to say why he did not do it, but as those gentlemen were called on to report to the Government, and they had made that report, I think it was proper for the Government to say to them: "Does your report mean the value of that property, adding the cost of transportation and placing it in British Columbia, which was in the mind of the Government and the contractors, when the contract was made, or have you placed a value on it according to what it would be worth here? Those gentlemen said: "We put a value on it such as we think it would be worth if it were here." They were asked by the Government or by Mr. Schreiber to add the cost of transportation of that stock to British Columbia, after ascertaining what the cost of transportation would be. The hon. gentleman heard Mr. Clark in the committee say—and I believe he told what was his own candid and honest opinion—that the increased amount fairly represented the cost of transport added to his original award.

Sir RICHARD CARTWRIGHT. There is no such evidence.

Sir CHARLES TUPPER. I was there, and I understood him to say so. I asked the question, what the difference represented, and he stated that that represented their estimate of the cost of the transport. I do not hesitate to say that I regard, from what little knowledge I have of these matters, their first estimate as a very low one for

such an amount of property as that if it had been here, and I am equally free to say that I regard their second estimate as a very large one, even taking into consideration the cost of transport. I do not hesitate to say that I think one was a very low estimate, and the other a very high estimate.

Mr. MULOCK. If Mr. Schreiber objected to accept the first because it was too low, why did he not object to the second because it was too high?

Sir CHARLES TUPPER. The hon. gentleman has himself given the reason, that is, that in appointing these parties to assist in carrying out the contract and to furnish the information Mr. Schreiber did not possess, and which he said he did not possess, the Government made arbitrators of these gentlemen, they gave them the character of arbitrators; their instructions placed them in that position, and Mr. Schreiber, when he got that first report as to the value of the rolling stock, said there must be some mistake. He knew enough of the value of rolling stock to know that could not represent the value, under the condition of the contract, and as the contract was understood on both sides, and the attention of the arbitrators was called to that fact. They were asked the question whether they had added the cost of transport. They said no. They were then called on to do that, as they had been put in the position of arbitrators, and the Government were in the position of being called on to act on the award. That is the whole story, according to the evidence I do not believe any fair minded man will see anything further in it, whatever may be his views with regard to the report of these gentlemen, Messrs. Reed, Haney and Clark, or with regard to their ultimate estimate of \$199,000, because, under the terms of the contract, the useless locomotive upon which they had placed a certain value had to be set aside. I will leave it to my hon. friend, the Minister of Railways, to explain to the House why the Government did not take more prompt measures to deal with the protection of this rolling stock, in the first instance, and with bringing it down to the Intercolonial Railway, to make it useful, in the second instance. To my mind, the reasons were the great difficulty, the cost of housing things of this kind, the natural expectation that the Canadian Pacific Railway would be short of stock and would be obliged to buy this stock; but it appears that the Canadian Pacific Railway said: We cannot afford to duplicate our stock; we must have it all of one pattern, because if anything in a locomotive goes wrong we have not the means of replacing it, unless our engines and cars are all built on a particular pattern. It is, as the hon. gentleman knows, a great economy in a large railway enterprise to have, as far as possible, your locomotives, engines and cars, and everything of that kind built on a particular pattern, so that when any repairing is required you can do it at a much smaller cost. I dare say the Canadian Pacific Railway thought this valuation was a very high one, and that may have deterred them, but it is for my hon. colleague to explain that. I assume the rolling stock was kept there with the expectation that the Canadian Pacific Railway would be compelled to take it and would make a bargain for its value—not the price which was paid for it, having relation to a different condition of things, but the value it would be to the Canadian Pacific Railway in the existing condition of things, now that they can cheaply and safely transport railway stock from here. No doubt, the stock was held for months in the expectation that the Canadian Pacific Railway would take them, and that will explain why the stock was not moved when it could have been more profitably moved. The hon. gentleman heard the chief engineer say that the Government had rented a large portion of these cars to the Canadian Pacific Railway. Whatever stock they had, the Canadian Pacific Railway were charged for it; and as soon as my hon. friend found he was not going to effect the sale, he would naturally turn his attention to the next best means of using

Sir CHARLES TUPPER.

this property, that is, by bringing it down and putting it into use on the Intercolonial Railway. I do not know that it is necessary for me to say another word. I have simply stated the circumstances under which the contract was made in the way it was, and, I think, it will commend itself to the judgment of the House, as, under the circumstances the best that could be made as things then stood; and I have explained to the House the testimony, so far as I have had the opportunity of hearing it at the last meeting of the committee, when Mr. Schreiber and Mr. Clark were examined.

Sir RICHARD CARTWRIGHT. Surely the Minister of Railways will respond to the appeal of his colleague to give a little further information.

Mr. DAVIES (P.E.I.) I refrained from rising to speak after the Minister of Finance had made his explanation in defence of the Government, because, as the hon. gentleman himself stated, his defence was quite incomplete, and he relied upon deficiencies being supplemented by the hon. Minister of Railways, who had the necessary information to give the House. The charges made by the hon. member for North York (Mr. Mulock) were several in number. He closed his speech with the charge that there had been gross neglect on the part of the Government with respect to this rolling stock, for which the Government paid such an enormous amount of money, and stated he had received certain information, which went to show they were now trying to take that rolling stock down to the Maritime Provinces, and it was worth nothing at all.

Sir CHARLES TUPPER. I hope my hon. friend did not understand me to say it was worth nothing at all.

Mr. DAVIES (P.E.I.) No, I stated the hon. member for North York stated he had information to that effect, and that this stock had been allowed to remain on a siding of the Canadian Pacific Railway as flotsam and jetsam, unhoused and uncared for, although this country had paid some \$200,000 for it to Mr. Onderdonk. As the Minister of Railways has not made any response to the appeal of his colleague, who, evidently, thought this was the fitting time to make an explanation, and who evidently was of opinion that a defence was required and that the Minister of Railways was the man to make that defence, I will refrain from indulging at present in any remarks on that branch of the case, in the hope that the Minister of Railways will yet reconsider his determination and deem it his duty to respond to the appeal of his colleague.

Mr. POPE. I did not say I would not respond.

Mr. DAVIES (P.E.I.) No, but the question was put by the Chair, and the hon. gentleman showed no desire to take advantage of the opportunity which he would have lost had the question been allowed to be put. But in order that he may still have that opportunity, I will engage the attention of the House for a few moments on the other aspects of the case, so as to give the hon. gentleman time to collect his thoughts on the subject and examine the papers. The hon. the Minister of Finance has said that when this contract was made with Mr. Onderdonk, it was considered by the Government necessary and right that a clause should be put into the contract binding the Government to take over that rolling stock when the contract was completed. Well, I have referred to the contract, and I find there is a clause in it which permits the contractor to offer the rolling stock to the Government at the completion of the contract, if he chooses; and, on referring to the correspondence which the Minister of Railways has brought down, I find that hon. gentleman himself doubted what was the proper construction to be put on that clause. I find he thought it necessary to refer that clause to the Minister of Justice, to ascertain whether the Government was or was not bound to accept that rolling stock from the contractor, and I find a learned

opinion from the Department of Justice, in response to that application, that the Government was not bound, in any sense whatever, to accept that rolling stock from the contractor. It is now generally admitted by hon. gentlemen who have heard the evidence before the Public Accounts Committee, and I am sure it will be admitted by all the members of this House before the debate is through, that the rolling stock for which we have paid such a large sum of money is practically useless. That is acknowledged on all sides. The hon. gentleman was advised by the Minister of Justice that he was not bound to take it at all, that, if he did take it, it would be a purely voluntary act on his part, therefore the reply on the part of the Minister of Finance, that this country was in some way or another bound to take this useless rolling stock, is refuted by the opinion given by the Minister of Justice before the rolling stock was taken over. But I will pass over that branch of the case at present and pass on to the other portions of the case. The hon. gentleman seemed to think he had answered every part of the case when he stated that it was desirable, in the public interest, to insert a permissive clause to authorise the contractor to give us this rolling stock. If I understood the charge which has been made by the hon. member for North York (Mr. Mulock), it was not a charge challenging the desirability of putting that clause in the contract, but that, assuming the construction which the Minister of Justice put upon it to be correct, even if we had a moral obligation to take it off the hands of the contractors, there was sufficient evidence before us to show that it was over-valued at least three times, and not only that, but that it was so over-valued in consequence of the influence and pressure of the Minister of Railways and the Chief Engineer. Can that be borne out by the evidence before us? I call attention for a moment to the two awards. We have the first one made by these gentlemen awarding \$72,665 in full payment for this property. There was no intimation given to the Minister of Railways that these arbitrators had not included the cost of transportation in that sum. We find, after the award is made, the Government pegging away at the arbitrators, endeavoring to induce them to increase the award, on the assumption that they had not included in it the cost of transportation; but any hon. gentleman who refers to the letters which are in evidence, will see that Mr. Reed informed the Department time and again that he had put the full value upon it which he thought in conscience he was justified in doing. On the 1st March, he wrote to the Minister:

"I wish to state that I have acted up to my instructions"—

Which instructions were to take this question into consideration—

"received from Mr. Schreiber, Chief Engineer of Government Railways, to the best of my ability, which was jointly submitted to you on the 8th January, giving the value of certain rolling stock used on the Canadian Pacific work in British Columbia."

So I say the Government had no just reason to assume, there was nothing on the face of the documents before them to justify them in assuming, that the arbitrators had not acted up to their instructions. *Per contra*, they had the letter of the arbitrator stating that he had acted up to his instructions and could not conscientiously go further. Now I want to recall the attention of the House to the fact that, after that award was made, the Minister of Railways appears to have taken those arbitrators by the throat. From the date of the first award down to the time he succeeded in extracting another award from them, there is a perfect torrent of telegrams and letters pouring upon this poor man, Mr. Reed, insisting and demanding that he shall come to Ottawa in order to increase the award to Mr. Onderdonk. Mr. Reed, up to that time, as far as I can gather, did what was right and reported: "I have done the best I can; I

have come to the conclusion not to make any further report as I have conscientiously awarded every dollar I can;" But the hon. gentleman some way gets him to Ottawa, and what is the impression left upon the mind of Mr. Reed, after his first interview with the Minister of Railways and Mr. Schreiber? He writes to his colleague the letter which my hon. friend read, stating that Mr. Pope and Mr. Schreiber appeared to be afraid to open the letter, that the whole thing is a fizzle, and that it appears to him that they are to be used as tools. That is the impression left upon the mind of the Government arbitrator after he had, time and again, persisted in refusing to alter his award; after being brought here, and after having his interview with the Minister of Railways and the Chief Engineer—"we are to be used as tools to do something which I have hitherto shrunk from doing," and he warns the other arbitrator not to yield. I submit to this House that there was evidence in the hands of the Chief Engineer, at the time he induced the arbitrators to sign a second appraisalment, which showed him that that appraisalment was out of all proportion and away beyond the value of the goods. Let us see exactly what they wanted the arbitrators to do. The Minister of Railways writes, by his secretary, to Mr. Reed and Mr. Clark, telling them that he wishes them to add the cost of transportation to the \$72,000 they have already awarded. There is nothing else to be added. He is quite satisfied if the cost of transportation can be added to the \$72,000. I say that the Minister of Railways and the Chief Engineer had written evidence over Mr. Onderdonk's own signature, at the time they forced these men to sign the new award, that the cost of transportation did not exceed one-third of the amount which those men were made to add to the award. How do I prove that? When Mr. Onderdonk submitted his statement to the Government as to his claim, he submitted a schedule showing what the property consisted of, showing the size of the locomotives, the names of the locomotives, the numbers of the flat cars, the places where they were built, the parties from whom they were purchased, the dates of the invoices, the invoice cost, the duty which he paid, and the transportation in a separate column; and the total cost, the total claim made by Mr. Onderdonk at that date, the whole sum he demanded of the Minister of Railways for original cost, for original invoice cost, with duty added, transportation, and every other conceivable thing, was \$254,000. When we go to the column showing the amount paid by him for transportation, we find that that foots up to \$27,075. And, as if to put the matter beyond doubt, Mr. Onderdonk adds a note: that these values are derived from cost invoices, freight and duty bills, all of which are on file in their original form (signed, A. Onderdonk). So that if the Minister of Railways wished only to do what he thought was simple justice, if he only wished to add to the award made by the arbitrators the cost of transportation, all he had to do was to take Mr. Onderdonk's statement, signed by his own hand, and add the \$27,000 which Mr. Onderdonk claimed for that purpose. But what did he do? Why, before these gentlemen came to Ottawa to make up this cost of transportation,—they did make a statement; it is true they did not forward it to the Government, but they made it in detail; they signed it, and when they were examined before the Committee on Public Accounts the other day they produced it, and that statement shows that, in their opinion, signed by Mr. Reed and Mr. Clark, the total cost—and mind you they were only making estimates—the total cost would be \$36,800, on the date of 14th January. Well, Sir, this sum which they estimated might be \$36,000, Mr. Onderdonk, in his own statement, which the Minister did not submit to the arbitrators, showed was only \$27,000. When these gentlemen came to Ottawa, what was the result? They had awarded \$72,665, and they were asked to add the cost of transportation. The Minister knew, over Mr. Onderdonk's own signature, that the cost

did not exceed \$27,000 in Ottawa, but he induced them to sign an award for \$100,000 more than the statement submitted by Mr. Onderdonk. Now, I submit, in the face of all the evidence—not the evidence which we produced, not the evidence which was extracted from the mouths of witnesses examined before the Public Accounts Committee, but the evidence which the hon. gentleman had under Onderdonk's own hand at the very time he accepted this valuation, the evidence which the hon. gentleman appears to have withheld from the arbitrators—notwithstanding the fact that he had that evidence, he accepted the award, and in a day or two afterwards he recommended to Council, of which he was a member, that these gentlemen should be paid the full sum, bar \$3,000, which Mr. Schreiber deducted from an engine which he said was only fit for scrap-iron—and paid them \$100,000 more than the evidence before him showed that they were entitled to. Assuming every position which the Minister of Finance to-day takes to be right, assuming they had a right to be paid, assuming that the property is not what my hon. friend says he is advised it is—utterly worthless—assuming that they should be paid the value of the property as it was before there was any railway communication there at all, the hon. gentleman, under every one of these facts, assuming them to be correct, has abstracted from the Public Treasury of this country, or allowed to be abstracted, a sum of \$100,000 more than he ought to have done. It would be very interesting to know where that money has gone.

An hon. MEMBER. Elections.

Another hon. MEMBER. Boodle.

Mr. DAVIES. Now, the Minister of Finance stated his recollection of what Mr. Clark had given in evidence before the Committee on Public Accounts. My hon. friend from North York (Mr. Mulock) seemed rather to limit his remarks, desiring that witnesses should be sworn on oath before being examined. I have no hesitation in saying that in an examination of this kind it is essential, in the public interest, that the witnesses should be sworn, and it would have been much preferable if the witnesses in this case had been sworn. I have yet to learn that because a man's private character is good, or because he stands high in public estimation, that when he goes into a court of justice he is relieved from taking an oath, or there is any opprobrium thrown upon him because he is compelled to take an oath. I think many of our examinations are farces, because they are not conducted under the solemnity of a judicial oath. But to come to Mr. Clark's evidence. I understood Mr. Clark to state most distinctly that neither he nor his colleagues held themselves in any way responsible for the increase of that award. I understood them to say that it was a mere arithmetical calculation which they made at the instance, and under the direct command, of the Chief Engineer of Railways and the Minister. Whether I am right or wrong, will be seen when I read the evidence. Mr. Clark was examined toward the close of the meeting. He produced the letter which my hon. friend has read. He is asked:

"Q. You are one of the arbitrators? A. Yes.

"Q. You joined in this first arbitration? A. I did.

"Q. And in the second arbitration? A. Yes.

"Q. And you made a new arbitration as directed by Mr. Schreiber? A. Yes.

"Q. In your new valuation, you included the one final value, and you added the cost of transportation? A. Yes.

"Q. It was no departure from your original judgment? A. No."

Mr. Mulock then refers to a letter which was produced. The examination goes on:

"Q. Do you take any responsibility on your own judgment as a professional expert, in saying that the property you valued was worth \$202,000 at that time, or simply that it represented its value, plus what the Engineer in Chief told you he added to it? A. Yes, that is it.

Mr. DAVIES (P.E.I.)

"Q. So that you stood by your original figures, and you modified them by the instructions of the Engineer in Chief? A. Yes.

"Q. You do not admit that the first valuation was wrong? A. No; it is the cost of transportation added to the other."

Now, Mr. Speaker, I say that shows conclusively that the addition of the sum between \$72,665 and \$202,000, the respective amounts of the first and second awards, was the sum for transportation which was added to the award—not by the judgment of the valuers, not by reason of any information they obtained on evidence, not, so far as it appears from the evidence, that they had any information on the subject whatever, but at the private instance of the Minister and his assistant, Mr. Schreiber. And as I have already pointed out to the House, the Minister was aware at that time that the amount he was forcing these men to add to the award was over five times the amount Mr. Onderdonk had himself submitted was the cost of transportation. I would like him to justify that. If I am wrong in the deductions I draw from these papers, I will withdraw my charge. But the papers are there—Mr. Onderdonk's statement, signed by himself, showing the total amount of transportation there. I have added the items up, I have gone over them two or three times, and there is no doubt in my mind that Mr. Onderdonk succeeded in getting this second award in abstracting from the people of this country \$110,000 or \$120,000 more than he was entitled to. By other negotiations which took place during the progress of this enquiry, it will be seen that the object of the Minister of Railways was not so much to protect the public interests, was not to get this property as cheaply as possible, but to see that Mr. Onderdonk was paid a larger sum than he ought to have been paid. Why, when Mr. Reed piteously, I might almost say, for the fourth or fifth time, begged to be excused from making a further award on the ground that he had gone to the limit of his conscience—what did the hon. gentleman do? He received a letter from Mr. Onderdonk asking him to dismiss Mr. Reed from the office and appoint some one else. The Minister was too shrewd to do that. He knew that if Mr. Reed was dismissed and a new man appointed, the matter could not be defended so easily; but when he reported to his colleagues he took care to report only the second award; and not the fact that a first award had been made. Those facts were withheld in the memorandum submitted to Council; first the fact that the first award was made; and, second, the order providing for the revision of the award. And it was only when Mr. Reed had refused to revise his judgment, or to take any responsibility, that he agreed simply to add a sum which the Minister and his assistant told him to add, which made the award \$100,000 more than it should have been. If there is anything that will arouse the public conscience to the fact that in that Department there is a degree of carelessness and neglect in the public interest, unparalleled in the history of the United States and Canada, I think it is this very matter brought before us. I can see no justification or excuse. We have had the justification of the Minister of Finance, perhaps the ablest man in the Government ranks, and hon. gentlemen will remember that he devoted his attention to smoothing over the subject, avoiding the real charges made by my hon. friend, leaving the House under the impression that, although the second award was really too high in his own judgment, he did not seem to think anybody was to blame. The fact is, the Minister of Finance placed the whole responsibility on the shoulders of the Department of Railways, as conducted by the Minister and his assistants, and he asked the Minister to give an explanation, but the Minister has so far declined to give it. No doubt, he will yet furnish it to the House, and we hope he will be able to make such an explanation as will make it appear that his conduct was more satisfactory than, at all events, I think it was.

Mr. POPE. I have heard these charges for the first time, because I did not know that this matter was before a committee until the very last day, or almost the last day the committee sat, but I am not sorry it was brought before the committee, or that it has been brought before this House. I am asked how it was that the rolling stock was allowed to remain in that part of the country for some time until we brought it here. The reason it was allowed to remain there was simply this: that I intended, if possible, to dispose of it to the Canadian Pacific Railway Company. I had a partial offer, not a positive offer; but I was encouraged by a private letter from Sir George Stephen, to hope that they might take one-half of the stock at the valuation placed upon it. But, afterwards, I learned that it was decided by Mr. Van Horne, that he was afraid to bring on the road railway stock manufactured in different factories and of different patterns; and, consequently, the company declined to take the stock. Those negotiations were going on for some little time. Hon. gentlemen must remember that at that time it was impossible to bring the stock into this part of the country, we could not have it got here if we had tried; we had to leave it in British Columbia, and put it on the sidings, and it was for the purpose of taking care of it that we put it there. A considerable portion was rented out, and another portion remained there, and some was brought over here to the east as soon as we could conveniently do so. That is the position with regard to the rolling stock. The hon. gentleman has brought up a paper, which he says was a paper put in my office by Mr. Onderdonk, as the valuation of the cost of the transportation of the stock.

Mr. DAVIES. The hon. gentleman brought the paper; I only read it. This is a return from the Department.

Mr. POPE. I did not say it was not a return; I say the hon. gentleman brought out the paper, and from what he said you would suppose that it stated the cost of the transportation of the whole stock. I can say to the hon. gentleman that it is not the cost of the transportation of one-fifth part of the stock; but whether it is or not, that is not my case at all. My case is simply this: That when this contract, as has been well said by the Minister of Finance, was taken, it was taken with the distinct understanding that the stock would be valued by the Chief Engineer, and upon his valuation it would be taken over by the Government.

Mr. MULOCK. Is that in writing?

Mr. McMULLEN. Read the contract; give us the wording of it.

Mr. POPE. Can the hon. gentleman contain himself for a few moments?

Mr. McMULLEN. I defy the hon. gentleman to produce the contract.

Mr. POPE. That was distinctly the understanding; and in the letting of the contract it was distinctly understood that the rolling stock would be taken over at a price to be fixed by the Chief Engineer. The Chief Engineer has, from the beginning, conducted this matter. I hold myself responsible, as I always hold myself responsible, for anything the Chief Engineer has done in this matter. I know he is a man who would do what he thought was right. The Chief Engineer found himself not in a position to go to British Columbia at the time the stock was about to be handed over, he was not in a position to go and value the stock—because he it was who conducted the whole thing—and he said it would be better that some men who were good judges of rolling stock should be appointed to go and examine and report to him as to its value; and so those gentlemen were appointed and went there. My hon. friend tells the House that Mr. Onderdonk's valuation was \$250,000 or \$260,000, my own impression was that it was \$300,000; but, be that as it may, that was the price he put upon that

stock. Those gentlemen appointed to assist Mr. Schreiber went out and gave as a valuation of the stock the figures which hon. gentlemen opposite have given, about \$75,000. The stock it was clearly understood, as has been understood in every contract where the rolling stock has had to be taken over, was to be valued at what it was worth on the spot. Those gentlemen went and valued it. When they came back there was a protest, there was a row, not only with Mr. Onderdonk but with Mr. Mills, with gentlemen in New York and with gentlemen everywhere; I agreed with them. I confess, that according to my limited judgment and knowledge of these matters, that it was a very low price indeed. I said to them: "Gentlemen, you shall have fair play. I will ascertain how this is; but I suppose they must have valued the stock at what it would be worth here, I will find out." I asked Mr. Schreiber. He communicated with these gentlemen who had made the valuation, and they said—as I understood from Mr. Schreiber—they had valued the rolling stock at what it would be worth here. I said to Mr. Schreiber: "That was not the understanding. Is that the understanding you had?" He said: "No, it was not; it was understood that the rolling stock should be valued at what it was worth there." Then I said: "You had better explain it to those gentlemen." It is very well for hon. gentlemen opposite to say that Mr. Schreiber fixed the prices and we gave them. It is very well for hon. gentlemen opposite to make such an allusion, but it is a lie.

Mr. DAVIES. Mr. Clark said so.

Mr. POPE. The hon. gentleman said so.

Mr. DAVIES. I repeated Mr. Clark's statement.

Mr. POPE. It is said that the value of this property was fixed by Mr. Schreiber, or that the price which was paid for it was fixed by him. The hon. gentleman thought he was catching us there, but I can tell him that the price was not fixed by Mr. Schreiber, but he simply said it was understood that they should take into consideration the cost of putting it there—the value on the spot. Does anybody believe that Mr. Clark signed that paper not believing it to be true? Does even the hon. gentleman, who spent three or four weeks mousing round after this matter, believe that? No, Sir, they know that Mr. Schreiber never fixed the price of that property to the extent of a dollar, but he said: We believe you do not understand that the price was to be fixed at the value on the spot. They said to him, as he informs me, that they did not understand it so. Then they were asked—and why not?—to investigate this, and to give the value of the stock there. Does anybody here believe that three honorable men connived at the signing of their names to a paper which they did not believe was true? Does anybody believe that, excepting those who want to drum up a charge? I have no doubt these hon. gentlemen are acting honestly, acting in the interests of the country; I would never accuse them of anything else; but I say that those who want to make a charge out of this are the only ones who will believe that Mr. Clark and these other gentlemen deliberately signed an award for \$200,000, when the property was worth only something over \$100,000. What possible interest could I have in inducing those men to give an award which was not a right one? The hon. gentleman speaks about beating these men down, and treating them badly, but I say to him that I had no intention of treating them badly or treating them otherwise than as an honorable man would treat honorable men. I say that in the whole work there never was a firm that carried out their contract better, or gave less trouble than those men did, and though they did not make a dollar, yet I believe that they acted in the most honorable way. I say it ill-becomes the hon. gentleman to say that these arbitrators signed an award which they did not believe, or that Mr. Schreiber told them the amount to fix, or that they

took Mr. Schreiber's *ipse dixit* in the matter. There was nothing of the kind. What he told them was they were to fix the value of the property out there; in telling them that he was doing his duty, as he always does his duty, and I sustained him. The hon. gentleman says we were not obliged to take this property. Why, Sir, it was definitely and distinctly understood that we were to take back this property. No matter what construction my colleague put on the contract, or whether it said we might or should take it, it was the distinct understanding that we should take the rolling stock off their hands, and they got the contract so much the cheaper on that account, so that there was no loss to the country in doing this. I say that I was bound to carry out what was understood by every member of the Government, what has always been understood in other contracts, what has always been done in other contracts—that the Government should take the rolling stock off their hands. The hon. gentleman tries to make out that these men went so far from their line of duty as to get Mr. Schreiber to put on the price of this property, but I say that is impossible to believe, and it is something which I do not think any member of this House really believes. I could point to a man who has had more to do with these things, and knows more about them than all the other hon. gentlemen on that side put together, and who, if he happened to be in the House at the moment, and spoke his mind honestly, would tell these hon. gentlemen that they are making a great mistake about this matter. In conclusion, I would say that I feel that I have done my duty in this matter, that my Chief Engineer has done what any other chief engineer would have done, and that the arbitrators have acted as any arbitrators would have acted, in taking all the circumstances into account and signing their names to this award, and I am ready to defend their conduct anywhere and everywhere.

Sir RICHARD CARTWRIGHT. We are not disposed to impute any dishonesty of conduct to Messrs. Clark and Reed. It is our opinion that those gentlemen, as far as we could judge from the somewhat protracted examination in the Public Accounts Committee, did their duty honestly and honorably by the public, and that it was only after the most extraordinary, repeated and severe pressure which was put upon them by their principals in the Department of Railways, after many protests, after many struggles, after piteously begging, as my hon. friend said, that they should not be forced to go against their consciences, that they made the award under the circumstances disclosed in Mr. Clark's evidence which I shall presently read to this House. I think, when I have done so, the Minister himself will say that my hon. friend's contention was fully borne out, and that Mr. Clark did literally act as a machine, as the machine of the Engineer in Chief, in adding the sum of \$128,000 for transportation to the previous award of \$72,000. Here, Sir, is Mr. Clark's evidence as given to the committee:

"Q. I understand you stood by your original valuation?"

That is the valuation for \$72,000, and Mr. Clark replies:

"We only added the cost of transportation."

Now, Sir, that shows that the cost of transportation was put at the difference between \$72,000 and \$199,000. That is to say, about \$128,000 or \$127,000. Then the questioner proceeds:

"Q. That was at the time the rolling stock went in at the commencement of the contract? A. Yes Sir. I enquired from our freight agent, and I got all information I could from different parties of that class to see what the rates were. We might be a little over or under, but we got as near as we could."

This, I believe, referred to the estimate put in by these two valuers, putting the cost of transportation at \$36,000. Then the question goes on:

Mr. POPE.

"Q. When you three got together, although Mr. Reed took the ground that he would not value the property as worth more than \$72,000, you felt you were simply obeying instructions when you were adding to it the cost of transportation? A. Yes, Sir.

"Q. Then that was a matter on which you had no discretion? A. We had nothing to do with that.

"Q. You were simply obeying the instructions of the Government through their Chief Engineer or Mr. Bradley? A. Yes.

"(By Sir Charles Tupper) Q. I understand that it was a letter from Mr. Bradley to them that they were acting upon? A. Well, from the Department—yes.

"(By Mr. Mulock.) Q. It was simply obeying instructions that you increased your award to your final figures—you added the cost of transportation to your original award? A. Yes.

"You simply made that addition mechanically—"

Mr. MULLOCK. "Mathematically."

Sir RICHARD CARTWRIGHT. Well, they are precisely the same. When the principals to an award instruct an arbitrator named by them that they consider his award too low, when they go out of their way to tell him that they think his award is one-third of what it ought to be, and the arbitrator, after repeated protests, complies with the principal's instructions, then I say he is acting mechanically.

"Q. You simply made that addition mathematically, not exercising judgment on the subject? A. No.

"Q. And acting on directions to do so from the Department of Railways and Canals? A. Yes, certainly.

"Q. That was the position you arbitrators found you were in when you made your final valuation? A. Yes."

Now, Sir, it is quite clear, I think, even to the Minister of Railways himself, that Mr. Clark utterly disclaimed all responsibility for this addition of \$128,000, that he stuck to his original valuation, and that he only put on the \$128,000 as the alleged cost of transport, acting under the instructions of the Engineer in Chief.

Mr. POPE. What I said was this: that he did not act under the direction of the Chief Engineer, so far as to add the cost of transport, not as to the price.

Sir RICHARD CARTWRIGHT. Which cost of transport the hon. gentleman and the hon. gentleman's Chief Engineer had evidence before them was \$27,000, according to Mr. Onderdonk's own statement, that apparently having been the cost four or five years before, when transportation was a great deal more costly; and, according to the Minister of Finance, all they were entitled to add was the sum it would cost on the 1st of July, 1885, to put it there, which would have been, as I think the Minister of Finance will admit, very much less than it was four or five years before; for, in 1881, at any rate, the Northern Pacific Railway had been completed, and communication with British Columbia by the seaboard had likewise been completed. Now, Sir, I have heard various excuses set up at different times for various actions of the Government; but I must say it remained for the Minister of Railways to come here and tell the House that, having before him a formal contract, signed sealed and delivered, he prefers, in the public interest, out of a tender and delicate regard for the honor of the people of Canada, from motives of charity, as the Minister of Finance said, to disregard the written contract, and go back to a private understanding of which we have no evidence of any kind laid before the House or the Committee on Public Accounts; and he does that after having formally consulted the Minister of Justice, who sits beside him, and who, having examined this contract, has put it on record that Mr. Onderdonk had no right whatever, under the contract, to obtain any sum at all from the Government of Canada, but that it was purely optional with the Government to pay him anything. Sir, the case looked very bad in the committee, I must say, very bad, indeed; but I think it comes out far worse after the explanations which have been vouchsafed to us:

"With every feature of a job complete,
If it be honest, 'tis a devilish cheat."

Now, there are one or two points to which I wish to call the attention of the Government, and which bear on the

very work we are now engaged in. It is perfectly clear that that vote of \$200,000 was put through with precipitation; and the then Minister of Finance, now Postmaster General, did not condescend, when advising the House on that subject, to acquaint himself at all with the nature of the transaction he was recommending to the House. There is a vote of \$200,000 for the Canadian Pacific Railway in British Columbia which is stated to be on the Onderdonk contract. Then Mr. McLelan—he will excuse me for using his name—was asked what the quantity of the property was, and he declared that there were 29 locomotives—there being actually 8—and 397 cars, of which he gives the details, whereas there were really 189. Now, Sir, I call attention to that, not because I accuse the late Minister of Finance of deliberately misleading the House, but simply to show with what carelessness, what little attention this vote, involving \$200,000, was put through. I acquit the then Minister of Finance of any design to deceive the House, because I see he has stated with sufficient accuracy the prices which were to be paid for the several kinds of cars; but it is quite clear that that vote was put through on information which was highly calculated to mislead the House, because the House listening to him would suppose that he had bought 29 locomotives and 397 flat cars, of the value of \$200,000, whereas of the former we only bought 8, and of the latter less than half the number we supposed we were purchasing. Then, Sir, what is to be said—the Minister of Finance of course had nothing to say on that point, and the Minister of Railways did not allude to it at all—what is to be said of the conduct of the Department of Railways which having been ordered by a prominent committee of this House to bring down all the facts, to bring down all the details, to give us information as to the several valuations that have been made, first completely neglected to bring down any valuation; and then, after waiting several weeks, brings down one award, omitting some forty documents contained in some forty pages of very important documentary evidence, which only reached this committee within two or three days of the rising of the House. I say that the examination of items in the Public Accounts by the Public Accounts Committee is a mere farce, if important Departments are to be allowed to disregard the positive orders of that committee in the fashion which my hon. friend has pointed out. There is no use in our attending the committee, if, when we move for papers, as we did in this case, on the 29th April—papers of the utmost importance, papers bearing on one of the most extraordinary transactions, to use the mildest words that can be possibly used, one of the most unaccountable transactions that have ever engaged the attention of this House—we can only get them within a day or two of the time the Government expect the House to prorogue. Let us recall the facts and the prior circumstances; and here let me remark that Mr. Onderdonk, if my memory serves me rightly, is, of all men in Canada, the very last man who ought to complain if the strict law is applied to him, as it was recommended to be applied by the Minister of Justice. Has this House forgotten, how, on a most strained construction of the law, a Mr. Onderdonk—and, I believe, this Mr. Onderdonk, or a partner or relative of his—was allowed to obtain a contract for \$209,000 more than the lowest tender? That was done by a strained and forced construction of a point of law; it was done in defiance of the protest of this side of the House. And are we to be told that, when he obtained advantages like those, by a strict construction of the law, now, when the law is clearly, according to the highest legal authority, against Mr. Onderdonk, the opinion of the Minister of Justice is to be set aside in order that Mr. Onderdonk may obtain \$128,000 more than he is fairly entitled to. The Minister of Finance said, and it may be correct enough, that the first decision was, in his opinion, far too

low, but that the second one, the award of \$200,000, was far too high. Is this a game of "heads I win, tails you lose," in Mr. Onderdonk's favor? When the award is too low, when the arbitrators awarded Mr. Onderdonk less than the Minister of Finance thinks is justly due him, all the power and influence of the Department is brought to bear to compel these valuers, in spite of their protest and remonstrances, to depart from the valuation they have made. But when the award is far too high in the opinion of the Minister of Finance, who is a good authority on these subjects, the Department accept it without murmur. That may be charity for Mr. Onderdonk, but it is not charity to the ratepayers of this country. I am of opinion that, in the present state of our finances, a more ill-judged time, a more unfit occasion on which to exercise this extreme generosity, could hardly be imagined. Over and above that, we have here five separate and important facts. We have, first, the opinion of the Minister of Justice that there was no legal obligation on us to take one atom of this rolling stock. We have next the valuation made by Messrs. Clark and Reed, our arbitrator and the umpire selected, declaring that the real value was about \$72,000. Then, we have, not once but half a dozen times over, the remonstrance of Mr. Reed, declaring that he could not conscientiously reverse his decision, that he had considered the whole case and taken into consideration all the circumstances referred to, and we have the letter produced by Mr. Clark, to which attention has already been called, in which Mr. Reed, after interviewing the Minister and the Engineer in Chief, has put on record his opinion that the thing is a fizzle, and that he fears he and his comrades are to be used as tools—for what? To take out of the public purse \$128,000, and to award it to Mr. Onderdonk, who had already, by a most strained construction of the law, got \$209,000 more than he was entitled to—to that Mr. Onderdonk, who by this ill-timed generosity on the part of the Minister of Railways, is to receive \$128,000 more, or just three times as much as the arbitrators consider fit. Here is the clause from the contract, and it is interesting:

"It is distinctly declared that no implied contract of any kind whatsoever, by or on behalf of Her Majesty, shall arise or be implied from anything in this contract contained, or from any position or situation of the parties at any time, it being clearly understood and agreed that the express contracts, covenants and agreements herein contained and made by Her Majesty, are and shall be the only contracts, covenants and agreements upon which any rights against her are to be founded."

Now, was it ever heard before, in any case of any private party, that when three arbitrators have been appointed, when your own arbitrator, when the umpire selected by the two, brings in an award showing you are only entitled to pay a particular sum, and when you are the party to be benefited thereby, if you thought the award too low, you should tear up the award, fling it back in the arbitrator's face, tell him he must make a higher award, and, when he refuses, when he protests and declines, you go on, week after week, and month after month, from the 8th or 9th of January to the 13th of March, in order to compel this unfortunate man and Mr. Clark, who also protested, to do, as they say they were compelled to do, to disregard their judgment, their own written opinion, and put their signatures, under that pressure, to a document by which \$128,000, more than they thought right were taken out of the public purse.

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

After Recess.

CANADIAN WORKINGMEN IN THE U. S.

Mr. PATTERSON (Essex) asked, Is the Government aware that attempts are being made on the part of the

United States authorities to enforce their Act to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, as against Canadian citizens resident in our border towns, but engaged throughout the day in the adjacent cities of the United States? And if so, what course does the Government propose to take for the protection of our citizens or for the prevention of the competition of residents of the United States with our workmen in Canada?

Sir JOHN A. MACDONALD. The attention of the Government was first called to this matter the other day by my hon. friend from Welland (Mr. Ferguson). We were informed by these gentlemen—we were uninformed before—that the Act preventing the reception in the United States of immigrants under contract to perform work in the United States was being put in force along our inland waters and on our frontier. It is well understood that that Act, when it was passed by Congress, was intended to prevent an influx of immigrants from Europe, but I suppose, though I have never seen the Act of Congress, that by the terms it would apply to all immigrants as well from Canada as from Europe. It seems to us to be a very forced construction and a very unfriendly course, and the Canadian Government will make enquiry to see whether the Act will really be pressed by the United States Government. The impression we have is that it is over zeal on the part of the officers of the United States Government on the frontier. Of course, what Canada may do in the matter will depend very much on the result of the communications with Washington.

Mr. MILLS (Bothwell). You will require legislation.

Sir JOHN A. MACDONALD. Yes.

VALUATION OF C. P. R. ROLLING STOCK.

Sir RICHARD CARTWRIGHT. I do not purpose to detain the House at any length. I wish to recall their attention in the first place to the fact that the Minister of Justice, as is indeed admitted in the report of the Minister of Railways, had declared that there was no legal claim on the Government. That is repeated, I perceive, by the Minister in his report to the Privy Council. I do not find in these papers, though it was quoted by one of the gentlemen who spoke, the report of the Minister of Justice. I do not know whether the Minister has it or not.

Mr. THOMPSON. It is on the file.

Sir RICHARD CARTWRIGHT. I did not find it. However, there appears to be no dispute as to the fact that there was such a decision given. The other points to which I would call the attention of the House are briefly these. In the first place, we are informed, and I believe that point will hardly be disputed, that, from various causes, this stock was practically of small value. I believe, at least I have been so informed, that the Canadian Pacific Railway refused to have anything to do with the locomotive engines, considering them as practically worthless to them, and that they were willing to give only a small sum, stated at \$60 a car, for the flat cars; and, further, that when these cars had been hauled across the continent to Montreal, the Grand Trunk Railway thought the cars and locomotives of such very small value that they were disposed to insist on the Government guaranteeing the freight before they would pay anything over to the Canadian Pacific Railway on account. Now, the practical result of the transaction appears to be this: The cars which were valued to us at \$72,000, had they been here, would probably cost, along with the engines, from \$25,000 to \$30,000 before they reached the Intercolonial Railway, so that, to all intents and purposes, this stock, for which we paid some \$200,000, and which was reported by

Mr. PATTERSON (Essex).

our own arbitrators as worth \$72,000, will entail the further charge of \$25,000 to \$30,000 to bring it to the Intercolonial Railway, and will then, suppose it was originally worth \$72,000, be worth only some \$42,000 or \$47,000. It may impress on the mind of the House still more forcibly what, sort of a transaction this is if I read very briefly to the House the valuations which were put in the first report submitted by Mr. Clark and Mr. Reed on these same flat cars. I find that sixty-five of these first-class flat cars were valued by these gentlemen, in the first instance, at \$205 apiece. I find that we were obliged to pay for them, ultimately, \$735, very nearly four times the price that they were originally valued at. I find that the cars which were estimated in the first report at \$13,120, cost the country, \$48,320. Coming down to second, third, fourth and fifth classes, we find the same results. We find that what was valued in the first report at \$195 is paid for by the second report at \$745. What was valued at \$175—that is the fourth class flat cars—were paid for at \$725 under the second report, and so on all through. I shall not detain the House by reading the whole, but the practical result appears to be that at least three or four times as much are paid for these, (which I may further inform the House were largely constructed in British Columbia, and were made of inferior timber) than they were valued to us by our own arbitrator and the umpire who was appointed. In the case of the locomotives, the discrepancy is great, but not quite so great. In one case, what was valued at \$2,975 in the first report, is paid for, according to the second report, at \$6,325. What was valued in the first report at \$3,870, is paid for by the second report at \$6,450. What is valued at \$3,535 in the first report, is paid for, under the second report, at \$7,075. What is valued in the first report at \$3,330, is paid for at \$7,000. Now, so far as it is possible for me, who listened to the evidence, to judge from the minutes I have here, the utmost amount that they could have cost for transport—it is all that Mr. Clark in his evidence declared that he understood was to be allowed—was \$36,800. According to the statement made by these parties, which is substantiated by Mr. Onderdonk's statement, about \$27,000 was paid for the freight of such as were imported, and I, therefore, fail to see how—by any possibility, adding the total cost of the transport, which I contend must have been much less on the 1st July, 1885, than it was in 1880 or in 1881—more than a sum of \$100,000 could have been arrived at under these valuations. The other points I will not now stop to repeat. It is quite clear that the several arbitrators—at least Mr. Reed and Mr. Clark—were most reluctant to make this award, and we have their evidence, to which I called attention before we rose, to show that they remonstrated again and again, and that it was only under the extremest pressure of the Department, and acting, as they say, under the responsibility of the Department, and not their own responsibility, that they consented to raise the amount from \$72,000 to \$199,000. I cannot conceive how, with any regard to the public interest, or with any regard to the ordinary rules which govern the public service, in a case where the Minister of Justice expressly declares that there is no legal claim, this disregard of the first award and the payment of a sum almost exactly three times as much as the original sum can be for a moment justified.

Sir CHARLES TUPPER. I would ask the hon. gentleman if he has not got Mr. Clark's statement that he valued these cars and locomotives as if they were in the eastern States, and that his second valuation is arrived at by adding the freight and duty to his first award. I have not been able to give much attention to it, but I am told that among the papers is Mr. Clark's own statement that his second report was arrived at and the figures placed at that amount by adding the freight and duty to the cost of the locomotives and cars as first valued as if they were in the eastern States.

Sir RICHARD CARTWRIGHT. I read his answers to the questions which were made, before the House separated, but in these he expressly cleared himself of responsibility in the matter. What he states here in reply to the questions, appears explicit enough, and I will read it to the hon. gentleman again if he wishes :

"Q. I understand you stood by your original valuation? A. We only added the cost of transportation."

Then he goes on to reply, being asked :

"Q. That was at the time the rolling stock went in at the commencement of the contract? A. Yes I conferred with our freight agent, and I got all the information I could from different parties of that class to see what the rates were. We might be a little over or under, but we got as near as we could."

He then submitted his estimate of \$36,800, signed Reed and Clark, in which he shows all that he appears to have believed the cost would be of transportation, and in that he expressly gives so many flat cars, \$7,200; iron works for balance of flat cars built at Yale, so much; freight, \$16,100; nine engines, \$13,500, in all \$36,800. He says nothing about duties in these cases. Then he is asked :

"Q. When you three got together, although Mr. Reed took the ground that he would value the property as worth more than \$72,000, you felt you were simply obeying instructions when adding the cost of transportation? A. Yes."

"Q. That was a matter in which you had no discretion? A. We had nothing to do with that."

"Q. That is to say you were simply obeying the instructions of the Government through the chief engineer or Mr. Bradley? A. Yes."

Then Mr. Mulock says :

"Q. You simply made that addition"—

Referring to this \$120,000.

"mathematically, not exercising your own judgment on the subject? A. No, we did not exercise any judgment."

That is all I perceive affecting that point.

Mr. McCARTHY. Did you see Mr. Clark's letter on the 10th February, 1886? It is on tissue paper.

Sir RICHARD CARTWRIGHT. I perceive no tissue paper except one here. It appears to be an unsigned letter.

Mr. McCARTHY. That is the one I refer to.

Sir RICHARD CARTWRIGHT. In which he says :

"We beg to submit the annexed statement"—

But it is not signed at all, nor does the other appear to be signed. I observe a number of pencil memorandums—

"in reply to your letter of the 12th ultimo, requesting us to furnish a further report showing a further estimate as to the value of the rolling stock belonging to the contractors, which was used in the construction of the British Columbia section, taking into consideration the isolated position of the stock at that date, and the expense involved in placing it there. In other words, what would be the adjudicated cost."

But that is not signed at all.

Mr. McCARTHY. The statements which were made from the opposite side of the House this afternoon, were of so startling a character, that I think they require the consideration of members on both sides of the House. Of course we who do not belong to the Committee on Public Accounts, or who have not had an opportunity of attending that committee can hardly be expected in a moment to grasp, by a glance at those voluminous documents, the full history of the case which has been brought before the House by the hon. member for North York (Mr. Mulock). But I understand the position of the case to be this: the contractor had a right, as he supposed, at all events, to call upon the Government at the end of his contract to take the plant and rolling stock that he had in use in the construction of this work, off his hands. I understand, further, that the question as to whether upon the terms of this contract, the Government were bound to take that stock off his hands, was submitted to the Minister of Justice, and his opinion was that under the terms of the contract, it was not binding upon the Govern-

ment, but was merely optional. Now, Sir, I only had an opportunity just now of seeing the clause of the contract upon which this question turns, and it would be presumptuous to speak with regard to the contract as a whole, having merely had an opportunity of reading one paragraph of it. But with all deference to the view the Minister of Justice took of it, I should rather be inclined to say that that was not the true construction of the contract. It appears to me to be a well understood principle of law, and a well understood principle of the construction of contracts, that effect must be given to all that appears in the document. It is absurd for the Government to contract that they may buy from the contractor his plant at the end of his contract. It required no contract for that purpose. It did not require that the contractor should contract that the Government might buy, nor did it require that the Government should agree that they might buy. That was a matter which did not require to be contracted for one way or the other. The true effect of that contract, I take it, the reasonable construction, might be to read this way: that the Government were bound to buy—it was quite insensible, otherwise, to put these words in the contract. However that may be, the Department reported upon the contract in that sense. They said, as dealing on behalf of the country and dealing in an honorable spirit between the country and the contractor, that that was the true meaning of this contract, and the contractor, no doubt, who entered into this agreement in 1879, had a right to assume that, at the termination of his contract, he would be relieved of his plant by the Government, in accordance with those terms. If that was the true sense of the bargain, who was to determine the amount according to the contract but the Chief Engineer? We all know that while we may be willing to enter into a bargain and submit to the valuation of one individual, we may not be willing to enter into a bargain or contract and submit to a valuation made by another; and a familiar instance of that kind will occur to everyone. You make a contract for the building of a house. It is agreed between you and the builder that the value of extras is to be determined by the architect and that his valuation shall be conclusive, so long as there is no fraud; whether he over-values or under-values, his valuation is conclusive between the parties so long as there is no fraud. In this case, as I understand it, the Chief Engineer did not find it convenient to go to value the rolling stock, and so he deputed Mr. Haney, Mr. Reid and Mr. Clark of Toronto.

Sir RICHARD CARTWRIGHT. No, it was done by the ordinary arbitration method; one arbitrator was appointed by each party and an umpire was selected.

Mr. McCARTHY. I do not know how that was. Mr. Haney took one view, that the stock should not be valued at its intrinsic value or worth when the contract was taken out of the hands of the contractor, which was in 1885, but that it ought to be valued with respect to the cost to the contractor if the contractor had brought it in; in other words the cost of the material, less the deterioration for usage. Mr. Reed, on behalf of the Government, took the opposite view. It appears from the letter I saw—and I have only seen a portion of the correspondence—Mr. Clark sided with Mr. Reed. The result was that they agreed that the true value of the stock on the ground was \$72,000. When it was reported to the Government that that was the sum at which the arbitrators had arrived, Mr. Schreiber, the person who was to place a value upon this material, being appealed to, as I understand was the case from the statement made by the Minister of Railways, said: "I do not understand that this is the principle on which the value is to be arrived at. I admit that the arbitrators have determined the true value on the ground; but I understand that this value is to be arrived at, not according to the intrinsic value on the ground but with regard to

the cost to the contractor in bringing the material in. That may be right or wrong; that was a matter in my judgment—in the absence of all imputations of unfair dealing—simply and solely in the hands of the Chief Engineer, to whom both parties by the contract had agreed to leave the valuation. The arbitrators were called together again. They were told: "You have proceeded to value those articles on a wrong principle. We do not quarrel with the amount at which you have arrived; but you have proceeded on a wrong principle." It was wrong according to the view of Mr. Schreiber, to whom the matter was referred to determine, because it was for him to determine the principle on which the value should be arrived at. And so they were instructed to do what? To reconsider the matter, and adopt a different principle. All I can say with regard to this is: While a good deal may be said on both sides as to Mr. Schreiber's opinion, while it may be said that, perhaps, it would have been a proper thing for Mr. Schreiber to have determined the value of that stock in another way. The other view is equally open, and after all it was for the Chief Engineer, and for him alone, to determine the principle on which the valuation was to take place. He called the arbitrators together, and they were instructed to revalue upon that principle. Here, I have a right to find fault with the statement of the hon. member for Queen's, P.E.I., (Mr. Davies) for his statement was highly misleading. I do not think the statement of the hon. gentleman was a fair statement, and, as I understand he was present throughout the investigation by the committee, I am surprised that he only told us part of what took place before the committee, and if he had told us the whole, the statement would have been very different. It is true there was but \$27 000 for freight paid; but the hon. gentleman did not tell the House that a great proportion of the rolling stock had been made at a vastly increased cost in British Columbia itself; and, upon the principle laid down, either that cost should have been allowed the contractors or the course followed by the arbitrators should have been followed—to have assumed that the stock had been imported or had come from eastern Canada and had been transported there.

Mr. DAVIES. I could not assert anything of the kind because Mr. Onderdonk expressly said those flat cars were built at Yale, B.C., and cost so and so.

Mr. McCARTHY. I must have been very unfortunate in my statement because that was exactly what I said. The hon. gentleman was unfair in withholding that fact from the House: that those cars were said by Mr. Onderdonk to have cost \$800 a piece. The arbitrators did not allow them at that rate. They said: No; we cannot allow you the cost of the cars in British Columbia when, by buying them in eastern Canada and transporting them here, you could have laid them down in British Columbia at a less cost.

Mr. DAVIES. Where do you find that in the statement? Did the arbitrators say that?

Mr. McCARTHY. No; but the result of their finding is that. The statement of Mr. Clark is that the cars were valued at less than \$800. The hon. gentleman did not read a letter dated 10th February, 1883, and addressed by the arbitrators to the secretary of Railways and Canals:

"In reply to your letter of the 13th ult., requesting us to furnish a further report, showing our estimate as to the value of the rolling stock belonging to the contractors, which was used on construction of British Columbia section of Canadian Pacific Railway between Yale and Savona's Ferry (on which we previously reported) on date of completion of contract, July, 1883: taking into consideration the isolated position of the stock at that date, and the expense involved in placing it there—in other words, what would be the cost to duplicate the stock there at that date, we beg to submit the annexed statement."

If the arbitrators had taken Mr. Onderdonk's statement, and allowed the amount to the contractor, the award would

Mr. McCARTHY.

have been more. But I think they took the proper course, and they said: We will allow the contractor not what the cars actually cost, but what they would have cost if bought in the cheapest market and laid down on the ground in the cheapest way. No lawyer who understands what he is talking about will pretend to say that this question of value has to be determined by any other person than Mr. Schreiber.

Mr. DAVIES. Does not the contract say "the value at the completion of the contract?"

Mr. McCARTHY. By the Chief Engineer.

Mr. MILLS. But that was modified by mutual arrangement.

Mr. McCARTHY. Mr. Schreiber or the Chief Engineer is to determine the value. The contractors agreed that whatever the chief engineer might award, they were willing to accept. It is well known that if an arbitration is left to a particular man some one else is not to be substituted. When those gentlemen visited British Columbia to report on the stock, they did not value it on the principle which Mr. Schreiber said was the right one. I am not saying whether it was right or wrong, for a good deal is to be said on both sides; but I say it is a question for Mr. Schreiber and for him alone, and when he said that, in his opinion, regard should be had to the fact that when the contract was entered into in 1879 it was never supposed that the Canadian Pacific Railway would be completed before 1891, and regard should be had in the valuation as to the cost of bringing the cars there, duty, freight and soon. So the arbitrators were called together and requested to reconsider their award on that ground. Would any court of law have done differently? I want to know if it appeared that the arbitrator had proceeded on an erroneous principle of calculation and had arrived at a wrong result, and a court had said that that was not what you should have done, it would not have been reasonable for the arbitrators to say what the true amount was on reconsidering the question. But hon. gentlemen opposite say that in returning that amount they acted mechanically. That is not a fair reading of the evidence. Mr. Clark says they acted mechanically to this extent, as Mr. Clark says: I decline to accept all responsibility for the second award, and in arriving at this amount I have acted under the directions of the Government engineer. Having taken up that line I adopted it for my guidance in determining the amount, and then I calculated (the hon. member for South Oxford, Sir Richard Cartwright read a portion of the evidence to that extent) the freight to the best of my ability, the duty paid when they were brought in, and I arrived at the following result. What is it? Here we have got under Mr. Clark's own hand, produced by Mr. Clark, but not signed, a statement showing that the amount of the valuation thus made was \$193,940. In pencil opposite those figures is an increased amount which, I understand, though I have not added the items together, will make the same amount as the second award, \$199,000. I am not to be misunderstood. I am not here—because I have not read his evidence and I have not read the contract with sufficient care—pronouncing an opinion as to whether Mr. Schreiber is right or wrong. All I mean to say is, that I understand the well-known rule of law, it was Mr. Schreiber, and he alone, who had to pronounce upon the principle of value. I say, therefore, that when those three gentlemen were called together they were bound to obey his directions in that regard, if fair play and good faith were to be kept with those contractors. I will also add this statement, that I do not think this country or this House requires the Government to act in a dishonorable way by any man with whom it deals. I do not think it is expected that the Government of this country should, in their capacity of the executive of Canada, do what, as

honorable men, they would be ashamed to do in their private capacity; and I mean to say that any man who would take advantage of the technical reading of this contract, which was said to be the true meaning by the Minister of Justice, but which could not be the intention of the parties—else, why insert these words?—would have been doing what no honorable man would like to do, or to have done, in his own case.

Mr. MILLS (Bothwell). Hear, hear.

Mr. McCARTHY. I think the hon. member for Bothwell (Mr. Mills) will say that he would not have taken advantage of a technicality of that kind, if the matter was his own, and I do not think that he would ask the people of Canada to be guilty of a dishonorable thing, which the hon. gentleman would be ashamed to do in his own case.

Sir RICHARD CARTWRIGHT. I think that statement which the hon. gentleman read was an unsigned statement.

Mr. McCARTHY. Yes, I said so.

Sir RICHARD CARTWRIGHT. There is another statement signed by them, in which they declare the cost of transport to be \$36,000.

Mr. McCARTHY. There is no doubt that the figures show that, because the bulk of the material was made in British Columbia.

Sir RICHARD CARTWRIGHT. There is a special allowance there of \$16,000.

Mr. McCARTHY. Well, it is said that figures can be made to prove anything, but I think it is a fair calculation to say that if so many cars were imported into Canada, and the duty and freight cost so much, the rule of three will enable us to say what the balance were worth at the same rate. Now, was Mr. Onderdonk, who built so many cars at Yale, British Columbia, at a greatly enhanced cost to what he could have got them for in eastern Canada and transported them there, or in the United States and transported them there, and paid the duty—was he to be allowed that extra charge?

Mr. MILLS (Bothwell). Certainly not.

Mr. McCARTHY. What, then, was he to be allowed?

Mr. MILLS (Bothwell). The market value.

Mr. DAVIES (P.E.I.) And Mr. Schreiber said that he was incompetent to value, and referred them to those gentlemen.

Mr. McCARTHY. He said he was not able to go, as I understand.

Mr. DAVIES (P.E.I.) He said he did not feel himself competent to value, and that he would refer it to those gentlemen.

Mr. McCARTHY. But did Mr. Schreiber ever say that he was not competent to lay down a rule for valuing?

Mr. DAVIES (P.E.I.) He could not import a new rule into the contract.

Mr. McCARTHY. He was the man to lay down the rule of value. Now, Sir, I have been furnished with some figures, and I will give the House the result of this calculation, and hon. gentlemen can, if they please, check the valuation. I think it will be found that the freight upon the eight engines as near as can be arrived at, would be something like \$16,000 odd. I think it will be found that the freight upon 135 flat cars or box cars, those which were brought in, would be about \$78,000.

Mr. DAVIES (P.E.I.) From where?

Mr. McCARTHY. Either from the eastern part of the country or from the United States. Of course this calculation is based upon bringing them from the other side, but

the freight would be the same as bringing them from eastern Canada.

Sir RICHARD CARTWRIGHT. What is the amount you calculate for each car?

Mr. McCARTHY. \$423 would be the freight for each car, and that comes to \$78,000 altogether. The duty upon the engines would have been nearly \$12,000; the duty on the cars nearly \$22,000; and adding these together we find they came to \$128,124. Now, you have the actual value of the cars, besides the value on the spot, the allowance made for wear and tear or deterioration, \$72,000, and there you have the amount awarded. Therefore, it all comes down to this:—whether Mr. Schreiber was right or wrong in the principle he laid down for the valuation of those articles. That those gentlemen were entitled to that view, I think is perfectly plain. They claim, I find from the figures, \$235,000, after deducting from their bill the portion of their rolling stock which was not assumed by the Government. For that claim they were allowed something less than \$200,000, after arriving at it in the way I have said. I merely rose to point out what I have been able to glean from these papers, and it appears to me, therefore, to be plain enough that the responsibility properly rests on Mr. Schreiber for taking this view of the contract.

Mr. JONES. This question has so far been discussed by legal gentlemen in this House, and, as there are many laymen in the House like myself, I venture to submit the view in which these transactions would appear to a layman, stripped of legal technicality and phraseology. Now, according to the way I understand the transaction, it is simply this: The Government entered into a contract with Mr. Onderdonk, and in that contract it was provided that they might, at the close of the contract, take any engines and platform cars which might be considered by the engineers fit for further use. The Minister of Finance says that that clause was put in the contract in the interest of the public service, because the contractor, feeling that the stock might be taken by the Government at the close of the contract, would consider that point in making his tender for the work. Now, I do not dispute that point. I think, perhaps, that it is quite reasonable that the contracts undertaken at such a distance might possibly be undertaken on more favorable terms, if the contractor was under the impression, or had it provided in the contract, that at the completion of the contract the Government were obliged to take his rolling stock for what it was worth, if it was of any use. But, Sir, the contract before us reads in this way: That at the close of the contract the engines and platform cars, which might be considered fit for use, might be taken by the Government. Well, at the completion of the contract, Mr. Onderdonk called upon the Government to take the rolling stock which they considered fit for use. Now, the hon. the Minister of Railways, in his explanation, said that there was an understanding that it was to be taken. Is it possible that an understanding of such magnitude could have prevailed and could supersede the strict terms and conditions of a formal agreement? Is it possible that in undertaking a public work of this nature, with so large an amount of public money involved, a public contractor and the head of the Railway Department could arrive at a private understanding which was to supersede the direct and positive conditions of a contract? But supposing for one moment that such was the case, and supposing that the hon. gentleman considered that that understanding compelled him to adopt Mr. Onderdonk's view, why, I ask, did he then submit that question to the Department of Justice on its merits? And, why when the Department of Justice had given their opinion, did he not act upon that opinion? Now, Sir, it would appear that the Minister of Railways addressed a letter to the Department of Justice, dated the 23rd of

October, 1885, and the Department of Justice answered that letter in these words:

"I have the honor to acknowledge the receipt of your letter of the 23rd inst., enclosing contract No. 62, for the construction of part of the Canadian Pacific Railway in British Columbia, and asking the opinion of this Department as to the legal construction of section 75 of the specifications attached to the contract, and relating to the transfer of cars and engines to the Government upon the completion of the contract and the valuation of the same.

"Section 75 of the specifications, which with the memorandum thereto annexed, by the provisions of the contract, forms part of the contract, provides that 'at the close of the contract any engines and platform cars which may be considered by the engineer fit for further use may be transferred to the Government on the valuation of the engineer.' I am of opinion that the expression 'engineer' in clause 75 means 'engineer' as defined in the latter part of section 1 of the contract, namely, the chief engineer for the time being having control over the work, and shall extend to and include any of his assistants acting under his instructions, and all instructions or directions or certificates given or decisions made by anyone acting for the chief engineer, shall be subject to his approval.

"I am further of opinion that the word 'may' in the section in question is merely permissive, and that there is no obligation on the company to transfer the cars and engines to the Government, nor on the Government to purchase the same, but that if such purchase be made it can only be made on the valuation of the engineer."

Here the legal officer of the Crown says in the most emphatic terms that he is of opinion that this clause is merely a permissive one, and that there is no obligation on the part of the Government or the company, unless they come to an understanding, the first to dispose of, and the other to take those cars on such terms as may be agreed on. This is not the opinion of an outsider, or even of an hon. member of this House who is either on one side or the other, but the deliberate legal opinion of the Department of Justice, that that clause did not compel the company to sell nor the Government to purchase these engines and cars unless they were disposed to do so. Therefore, I think the Government cannot, in whatever way they may endeavor to twist this argument, get rid of the position that this contract places them in, both from the common sense and the legal aspect. They inserted the clause no doubt in the interest of the country, as laid down by the hon. Minister of Finance, and the only complaint we have now to make is that when the contract was fulfilled, and the contractor asked them to take this stock, they did not act according to our view in the interest of the country. Now, Sir, the hon. member for Simcoe (Mr. McCarthy) who has just addressed the House, says that Mr. Schreiber, the Chief Engineer, proceeded on a wrong principle. Who was Mr. Schreiber that he should step in between the Government and the contractor in this matter? What position does Mr. Schreiber hold in this country that this House would accept his opinion on a point of law in preference to that of the Minister of Justice? The hon. member says that Mr. Schreiber was to decide on what principle the arbitration was to take place. Mr. Schreiber told us before the Committee on Public Accounts, that not being a mechanical engineer he could not himself fix any value on this property, and that he necessarily, as a matter of course, had to select men of practical experience who could make a just valuation of the property which, according to the decision arrived at, the Government were going to take over from the contractors. But did that give Mr. Schreiber any right to alter the terms of the contract? Did that confer on Mr. Schreiber any authority by which he could contravene the terms of this agreement? Not at all. There is nothing in the original contract, directly or indirectly, to imply that this stock was to be taken over at its value in British Columbia. There is not a word in that contract, directly or indirectly, to lead to the conclusion that the location of the rolling stock in British Columbia was to be a factor in deciding its value at all. But if Mr. Schreiber, under the head of his Department, chose to put that interpretation on the contract, I ask is this House to be bound by it? By what right has Mr. Schreiber adopted a different principle for the valuation of that property? I contend most strongly that Mr. Schreiber and his principal—because we must hold

Mr. JONES.

his principal to account, and I should not refer to Mr. Schreiber had not the hon. gentleman attempted to put him forward as a buffer in this transaction—I say the hon. Minister of Railways was bound not only by the legal construction of the Act, but by the opinion he himself had obtained from the law officers of the Crown. The hon. gentleman was careful enough to say that he would not venture an opinion whether Mr. Schreiber was right or wrong; but the hon. gentleman should have been prepared to say whether Mr. Schreiber, or rather the Minister of Railways, was right or wrong. That is what we are endeavoring to arrive at. We are not here discussing an abstract question, but we are discussing the question who was right and who was wrong in this matter; and it was the duty of the hon. gentleman defending the Government to have taken the position boldly at once and say that Mr. Schreiber was right, and that his superior, the hon. Minister of Railways was right in directing him to take that course. If he had done that we should have been able to meet him on that ground, with the terms of the contract; but it is a credit to the hon. gentleman's ability, and he had that regard for his professional standing that he would not risk his reputation to express an opinion whether Mr. Schreiber or the Minister of Railways was right or wrong. Now, the hon. gentleman endeavored to point out that we were arguing on wrong premises, because some of these cars were built in British Columbia. Even if we were to take that view, the hon. gentleman's arguments would not hold; but we do not require to enter into that argument at all. My contention is that that forms no important consideration in this discussion. The contract does not provide that they were to be valued at their worth in their isolated position in British Columbia, and Mr. Schreiber, or the head of his Department, the Minister of Railways, had no right or authority to act contrary to the legal opinion of the law officer of the Crown. They had, therefore, no right to enforce upon these arbitrators the terms under which the valuation was to be arrived at. The hon. gentleman says that the public interest does not suffer. We have seen, by the evidence before the committee, what a discrepancy there is between the estimate made by the late Minister of Finance, when he asked this House to pass an appropriation for the \$200,000, and the account which has been brought down on this occasion. The hon. member who preceded me showed that the Minister of Finance led the House to believe that we were paying money for 29 engines when there were only 8, and that we were paying for 397 flat cars when there were only 180. This is a very grave misrepresentation of the facts, but it is only in accordance with the whole transaction. These arbitrators, appointed by the Government and Mr. Onderdonk, and the umpire appointed by the two arbitrators, made a valuation and submitted it to the Government. Why should Mr. Schreiber or the Minister of Railways take exception to the award? Were these gentlemen representing the people of this country? Or were they acting in the interests of a foreign company? I have always been under the impression that the Ministers of the Crown were appointed as an executive of this House, to carry out the well understood wishes of the people, in the interests of the people; but it would appear that in this case the Minister of Railways is acting, not in the interests of the people of Canada but in the interest of an American company, of a company which is endeavoring to abstract a larger amount out of the taxpayers of this country than, according to the arbitrators, it is entitled to. One would naturally suppose that when this award came before the Government they would acquiesce in it. But such was not the case. Mr. Schreiber has told us that he raised the objection, doubtless by order of his Department, because the Minister of Railways said he assumed all the responsibility, and urged these men to make a new valua-

tion. What does this correspondence disclose? It discloses the fact that orders went from the Government to the arbitrators, from time to time, to reconsider their decision. The answer came from the arbitrators that they could not make any alterations in the award. Mr. Clark gave his evidence that the whole valuation was based on a fair estimate of the value of the property. When the Government called on the arbitrators to reconsider the award, their own arbitrator, from week to week, and from month to month, not only refused, but refused in the most positive and direct terms. He said he could not, without violating his conscientious objections, reconsider or revalue the property. When Mr. Schreiber, or the Department, called his attention to the fact that the Government desired him to take into consideration the element of transport, those men with the responsibility of their position, men, doubtless of high reputation, considered that point, and according to the best information they could obtain—and doubtless they could obtain as correct information as anyone in the country—declared that it only required \$36,000 to pay the transport of that rolling stock to British Columbia. That, added to the \$72,000, would make the award \$108,000, from which must be deducted the value of the locomotive that the Government did not take. In corroboration of that we have, as has been shown by the hon. member for Queen's (Mr. Davies), the estimate of Mr. Onderdonk himself. In the case he submitted to the Government, he placed all the different amounts under different heads, and his own estimate of the cost of placing the rolling stock in British Columbia was only \$27,000, or \$9,000 less than Mr. Clark and Mr. Reed, the arbitrators, were of opinion it could cost. That was not satisfactory to the Government, and the Government continued to urge their own arbitrator, Mr. Reed, who, to his credit, refused, again and again, to consider the matter, and Mr. Reed wrote the letter to Mr. Clark which was inadvertently handed in by Mr. Clark among the bundle of papers he put before the committee. In this letter it would appear, Mr. Reed shows the position in which he stood, by saying that the Government were bringing pressure upon him. Unfortunately, in the end, he succumbed to their pressure, and the Government were enabled to obtain from the arbitrators the award they desired. Mr. Reed writes to him to say that the whole thing was a fizzle; he says: "We are being used as tools by the Government." Doubtless the Government had confidence in the men they appointed, but imagine—if one could imagine such a transaction were it not in black and white before us—imagine that the man they themselves had appointed, Mr. Reed, their own arbitrator, says that they were only being made tools of by the Government; and, by implication, we may infer it was to place more money in the hands of a foreign company. They came to Ottawa, they were brought here, and negotiations went on, and Mr. Onderdonk was here, and in the end this award was given of \$202,000. I was present when Mr. Clark underwent his examination before the Committee on Public Accounts, and I was pleased with the frank and candid manner in which he made his statement of the case. He said: "We made our award according to our judgment of the value, and, when the Government insisted upon adding the expense of transportation, we put down the amount they gave us and added that to the original valuation," and that made the estimate \$202,000 instead of \$72,000. This is, perhaps, one of the most glaring cases of impropriety that has ever been brought to the notice of a deliberative assembly or of the public in this or any other country. I say that there seems to have been an evident intention on the part of the Department of the Minister of Railways to put in the pockets of a foreign company an amount of \$202,000 instead of \$72,000, and to place that on the shoulders of the taxpayers of this country. I think, when this thing comes to be thoroughly understood in all its bearings, when it comes to be realised throughout this

Dominion that the Government have been guilty of such an improper act, it will be visited by the just indignation of an outraged people. I am glad that we have this opportunity, though late in the Session, and after great difficulties in procuring all the necessary papers, to establish the proofs in connection with this nefarious transaction, to bring sufficient papers on the floor of Parliament to condemn the Minister, and to condemn the Government who have acted upon the recommendation of the Minister of Railways, for having been guilty of an act which is the worst in its character, though they have been many and numerous, that has ever disgraced the annals of any legislative assembly in British America.

Mr. TUPPER (Pictou). I only want to occupy the attention of the House for a moment or two, to point out two or three inaccuracies in the statement of the hon. member for Halifax (Mr. Jones), who just addressed the House, and to call attention to the splendid example he has given to the House of the rule he has laid down on one or two occasions during this Session, that it is unwise for any member to speak on a subject he does not thoroughly understand. The hon. member seems to think that no man has a right to talk on the subject of fish unless he sells fish; or unless he owns schooners he must not discuss the trade in which schooners are engaged; or unless he has a claim against the Government for overpaid duties on sugar, he must not go into the question of the sugar duties. I think, if he had this evening observed the rule he laid down, it would have been better for the House and for the country, because in my humble judgment he has taken up the time of the House by misstating, I believe unintentionally, through his not understanding the question, the arguments which have been placed before the House much more forcibly by gentlemen who are associated with him on that side. He stated correctly that this was a legal question, but that he was going to treat it from a different standpoint, that he was going to treat a question involving the construction of contracts, correspondence and submissions to arbitration, from the standpoint of one who did not understand law or the construction of the agreement or papers now before the House. I think he eminently succeeded in one respect, and showed that he was entirely unacquainted with any rule of legal construction. The hon. gentleman has asked the House what had Mr. Schreiber to do with this contract? I should have thought that even he, ignorant though he was of rules of construction and unacquainted with legal questions, having the contract before him, would have understood that the clause to which he drew the attention of the House required particularly the attention of Mr. Schreiber and the exercise of the discretion of Mr. Schreiber, as the engineer who was particularly alluded to and to whom direct reference was made in that contract.

Mr. JONES. I said in changing the contract.

Mr. TUPPER (Pictou). The hon. gentleman says Mr. Schreiber intervened improperly in this matter. Mr. Schreiber, in my humble judgment, from the construction of the contract and under the merits of the case, had great responsibility as regards not only the Government of this country but as regards the contractors, who had vested rights, and rights under that contract, and were entitled to the benefit of those rights; and Mr. Schreiber, unable himself to exercise the power and the authority given to him under that contract by the sanction of the Government, deputed to certain gentlemen called arbitrators, but who were really commissioners in this case, the duty of arriving at a proper estimate of the value of this plant to which reference has been made. Certainly he did not in this way wholly discharge, as regards these contractors, the responsibility which rested upon his shoulders. No matter what action Mr. Schreiber may have taken, or what the facts may be in regard to the arbitrators, Mr. Schreiber was

responsible under the terms of the contract, as the engineer in question, for a proper valuation and appraisal of that property; and, when Mr. Schreiber found that these gentlemen had acted, in his opinion, upon a principle which was entirely erroneous and contrary to the spirit of that agreement, no matter what hon. gentlemen may think, or what legal gentlemen may think as to the construction of that contract, he was conscientiously bound to see that what, in his opinion, was a true construction of that contract and of his duties under it was carried out. On his authority and on his views, no doubt, the Minister of Railways authorised a certain letter to be written. I do not believe it was read to the House, but I took the trouble of looking at it, and I think it bears very pertinently upon the question which has engaged the attention of hon. gentlemen this evening. Mr. Bradley, as secretary of the Department, wrote on the 12th January, 1886, this letter:

"Referring to the report jointly submitted by you on the 8th instant, giving the value of certain rolling stock used on the Canadian Pacific Railway works in British Columbia, under contract to D. O. Mills, at the time the work was completed in July, 1885. I am directed to request that you will be pleased to furnish a further report showing your estimate of the value of this stock in July, 1885, taking into consideration the fact that it had already been brought into the Province, and the cost which would have been entailed had its transport to be provided at that date.

That letter was written, and the evidence of Mr. Clark, one of the arbitrators to whom reference was made more than once this evening, has not shown that in any particular he violated the duty imposed upon him in connection with that letter, and the duty he assumed. He acted under the authority of that letter, and he has not stated, directly or indirectly, that he took the figures from the Department of Railways or from the engineer of the Department of Railways, or that the arbitrators acted in any respect in regard to that valuation of the cost of transport other than upon their own individual judgment. I challenge the statement that was made, perhaps not directly, to the contrary of what I am now stating; I challenge the argument directed to that end most positively. I have read the evidence of Mr. Clark from beginning to end, and in no respect does he say more than this: that he did not exercise his judgment as to whether that valuation should enter into the consideration, that he accepted the instructions from the Department of Railways and Canals, but in no respect does he say that in arriving at the amount they took figures from any source except after proper enquiry made by them. There is nothing to impugn the conduct of the arbitrators in this connection in that matter; and if hon. gentlemen had directed the whole of their argument towards the propriety of the Department authorising this letter to be written, or towards the right of the Government to have this matter taken up and reconsidered, I think their position would have been much more reasonable. But, going further than that, they are forced to overlook much of the evidence given by Mr. Clark, and to place before the country arguments which should properly have been heard, and were no doubt used, at the time of the investigation. It is idle, in the case of any report of this kind, for the hon. gentlemen to undertake to examine and cross-examine the arbitrators, to enquire into the merits of the case *de novo*. It would strike at the utility of arbitration in anything. It does not matter whether those arbitrators, so far as they are concerned, were too generous to the claimants or whether they gave them less, so long as they acted in a *bond fide* manner; and so long as they acted under the instructions of that letter I say they did their duty. I cannot appreciate the argument that has been addressed to this House that the engineer and the Department having undertaken to direct their attention to the fact that they had overlooked a most important principle in getting the exact amount of the valuation of this plant, should have instructed the arbitrators to name a certain sum. So far as the argument of the hon. gentleman goes, one would suppose the Government was guilty for not having instructed

Mr. TUPPER (Pictou).

the arbitrators to name a small sum for that transport, to put into those papers the claim, and to say that on no account should the arbitrators give more. Now, I undertake to say if the Department of Railways had taken that course, and had stated that in no case was the claim to exceed such and such a figure, we would have been occupied far longer this evening by an indictment against the Government for daring to state to the arbitrators what the exact amount of the award was to be. So far as I listened this afternoon to the reading of the evidence, I felt that hon. gentlemen were, perhaps unwittingly, trying to make this House believe that the Government had given the figures to Mr. Clark, or his co-arbitrators and that they had put that amount down. Now, I have seen no evidence to that effect. There is not before this House a single sentence to corroborate that position. The hon. gentleman from South Oxford (Sir Richard Cartwright), as I understood his quotation, misquoted—I do not say intentionally—some of the evidence of Mr. Clark. At least, as I understood him, he quoted that the arbitrators in this case, in regard to the valuation of that stock and that plant, had not exercised their own judgment. Now, I say there is no such statement as that.

Mr. DAVIES (P.E.I.). The hon. gentleman is mistaken. He said the arbitrators had exercised their judgment in valuing the plant, but in adding to the valuation the amount of transport they had only acted mathematically under the direction of the Chief Engineer.

Mr. TUPPER (Pictou). Then, if I understand my hon. friend, he establishes the proposition that I have been endeavoring to make. We concede the proposition that the Government, through its officers, did intervene, and stated to those commissioners or arbitrators: "You proceeded upon an entirely erroneous principle, you have neglected to consider an element which we think, in justice to these contractors, should be considered." Further than that they did not go. So far as I understand the interruption of my hon. friend, he agrees with me that they did not go further than that. Then as we are really at one upon that point, what is all this talk about? Are we going to have this arbitration over again? It was conceded by some hon. gentlemen to-day that they did not mean to impugn the character of any one of the arbitrators, that they did not mean to say that Mr. Clark had not acted honestly.

Mr. DAVIES. Did not the arbitrators at the direction and instance of the Chief Engineer, add \$100,000 to the award more than Mr. Onderdonk claimed for transportation?

Mr. TUPPER. That has been denied absolutely by the Minister of Railways.

Mr. DAVIES. No, it has not.

Mr. TUPPER (Pictou). I was sitting near the Minister of Railways and heard him distinctly—he can correct me if I am wrong—he stated distinctly that the amount mentioned did not represent anywhere near the real amount of the claim by the Messrs. Onderdonk, that the papers my hon. friends were in possession of were not the full papers, nor did they show the full amount of the claim. I think the Minister of Railways stated that the amount mentioned by the hon. member for Queen's did not represent more than one-fifth of the amount claimed by D. O. Mills, or whoever the contractor was. Therefore, I say that hon. gentlemen opposite appear to be bringing their researches to bear upon a phase of that case that does not concern this House. We cannot rip up these awards. The only point involved in this case that we can discuss is, as to whether the Government acted properly or improperly in not accepting the first report of those arbitrators who went out to do a duty that the Chief Engineer was unable to discharge at the time. I say that this is the question before the House, and it

seems to me the reasons given from this side of the House have not been met on that point. I say that the action of the Government when that contract was made, the circumstances under which that contract was made, the circumstances which it was supposed by the contractor and by the Government would exist when that contract terminated, all go to show that, had the Government taken any other course, they could have been charged, not only with having acted unfairly, but with having acted in a most shystering mean way in their dealing with these contractors. It has not been denied that these contractors had a right to be treated fairly and considerately by the Government in connection with the contract, and it has not been shown that they made a profit to any amount. The hon. member for Halifax (Mr. Jones), who took up so much time in the discussion and showed how little he understood this question, and how much his mind had been turned towards questions of sugar, schooners and steamers and the election contest in Halifax, said, before he sat down, that the arbitrators stated that they put down the amount for transportation which the Government gave them. That shows how little the hon. gentleman knew of this subject. There is not an hon. gentleman who can point to a particle of evidence to show that that statement is correct. It was never made before the committee; but the Government did tell those commissioners or arbitrators the principle on which they were to proceed, and, so far as the evidence goes, the arbitrators did their duty. Hon. gentlemen do not deny that they acted honestly; they made a calculation—a mathematical calculation, as the hon. member for South Oxford (Sir Richard Cartwright), has termed it—and the result is what is before the House.

Mr. McMULLEN. I happen to be a member of the Public Accounts Committee, and was present during the investigation in connection with this matter. I gave particular attention to the evidence of the different parties who were examined. But before proceeding to deal with the matter under discussion, I will make a short reference to a remark dropped by that hon. gentleman who has just taken his seat (Mr. Tupper). In the course of the debates, I notice that that hon. gentleman is in the habit of assailing hon. member for Halifax (Mr. Jones), and I have been rather surprised to find the amount of cheek he assumes, and to-night he said that hon. gentleman was ignorant and knew nothing about the question. I contend that any layman in this House has just as good a right to address the House on a question in which both he and his constituents are interested as any legal mind in the House. I do not think it is right, simply because a few lawyers undertake to deal with important questions of this kind, that persons not lawyers, and not, perhaps, so well versed on legal points, should be prevented from offering any remarks from our standpoint on such questions. It ill-becomes, particularly, a young member, a man of youth, such as the hon. member for Picton, to use such words as he did towards the hon. member for Halifax (Mr. Jones), a man of experience and who has been in Parliament for many years. That hon. gentleman is not likely to gain either popularity or credit by adopting that course in addressing this House. There are some plain facts in connection with this case that we should view not altogether from a legal but a common sense standpoint. There are very few persons who have not been interested in contracts, and any man apart from legal qualifications would come to the conclusion that there was, at least, very strong evidence of impropriety, of collusion, for a purpose in connection with this whole matter. A perusal of the contract does not show anything to warrant the conclusion at which hon. gentlemen opposite have arrived. It contains this clause:

“At the close of the contract any engines or platform cars which may be considered by the engineer fit for further use may be transferred to the Government on the valuation of the engineer.

Those are all the words in the contract upon which this whole argument is based; it is all the grounds on which the hon. member for North Simcoe (Mr. McCarthy) based his argument to-night. I was quite amused to listen to the way in which he endeavored to turn the matter and to put the best front upon this barefaced transaction. He has a great legal mind and a world-wide fame for being able to put a good face on a bad case. We have too much of that kind of thing in this House. We have the fact that the Chief Engineer was to value this stock. It appears he could not go, for some reason best known to himself. Three arbitrators were chosen to do the work. They did not start out without having received something in the way of information as to what they were going to do and how to do it. They went there and made a valuation, and they reported to the Minister of Railways stating that \$72,000 was the amount at which they valued the stock. After having done this, fault was found with the valuation. The Minister of Railways, in order to satisfy himself as to how far the Government really were responsible for taking this stock over, referred the question to the Minister of Justice. That Minister, who is the legal adviser of the Crown, and by whom the Minister of Railways should be guided, declared, I understand, that the Government were not bound to take the stock, that it was optional whether they took it over or not. In the face of that, and without referring the matter further to ascertain whether the country could not be relieved from the responsibility of taking over that rolling stock, the Minister went on, not only with regard to paying \$72,000, but he increased it very largely, and eventually a settlement was made for \$200,000. Any one will see the position of the Minister to the contractor. He said to the contractor: “Your position is this—the Minister of Justice says I am not responsible under the clause of the contract to take over the stock; but we may possibly be able to patch the matter up so as to do good to you and to me. An election is coming on, and we are wanting funds. There are \$72,000 as the award which the arbitrators have arrived, and you, Mr. Onderdonk, claim \$27,000 as the amount of transport, which would make \$100,000. The Minister of Justice says we are not bound to give you anything. However, we will make it \$200,000; \$100,000 for me and \$100,000 for you.” The result is that they put their heads together. Mr. Onderdonk got \$100,000 and the Minister of Railways \$100,000, for purposes best known to himself. At all events, the sum has been paid and the country has lost the money. In order to strengthen their position, and, if possible to mystify the transaction so that it would not come out as an open, barefaced scandal, they got the arbitrators to agree to increase the amount. Under the pressure of Mr. Onderdonk? No. Under the pressure of the Minister of Railways backed by the Chief Engineer, by his own man. Those two men joined together, and urged strongly, pointedly, and forcibly on the arbitrators that they should do a certain thing. One of those arbitrators, according to the evidence before the committee, positively refused. He refused to be made a tool of, and stated so in his letter, in which he said he was afraid they were being made tools of, and now it turns out he was right in that suspicion, because it is quite evident that the arbitrators were used for a purpose in that transaction. The whole thing bears that appearance on its face to any honest-minded man apart from legal points, because if you take twelve honest-minded men I will venture to stake my seat in Parliament that not one of them will fail to declare that this matter bears on its face evidence of being a fishy transaction from beginning to end, that it was evidently put through for a purpose, that the whole thing was completed undoubtedly with the intention that there should be a considerable sum made out of it. And we can honestly say, I think, after a full revision of the whole transaction in relation to Mr. Onderdonk, that it was

conceived in sin and closed out in political iniquity. It bears that face from beginning to end, and I hold that the effort made by the Government to turn the point of the thrust which has been made at them by the plain statement of facts which has been made to the House, has utterly failed, even when made by the best legal minds in the House, save and except the Minister of Justice himself. We have not heard from him but possibly we shall have some efforts made by that gentleman to try and mystify the whole transaction. The Minister of Finance commenced this afternoon and tried to mystify it as best he could. He began to offer some remarks with regard to the transaction to try and show that the Government were, in some way, in honor bound to accept this rolling stock from these men. He said we ought to view this question from a charitable point of view. Well, he undoubtedly commenced very charitably with the man we are dealing with, for he gave him \$200,000 at the start of the contract by giving that much more than he could have let the contract for to another firm. And his charity had not worn out when they came to close the contract, because, whether through his charitable disposition to him or the charitable feelings produced in the mind of the Minister of Railways, through the influence of the Minister of Finance, his charity enabled him to deal out \$100,000 at the end of the contract. But I have grave doubts whether that money found its way into Onderdonk's pockets, and if Onderdonk were put in the witness box, under the pressure of sworn evidence, I think he would be compelled to admit, if he was an honest man, that the money charged to the country in this transaction never went to the credit of Mr. Onderdonk but went in some other direction. Now, I say the whole transaction bears a suspicious character from beginning to end. I was amused with one thing in connection with this transaction. I was present when the engineer was being examined. During his evidence he admitted that, although he is the servant of the people of this Dominion receiving \$1,000 a year as Chief Engineer of Government Railways, and \$2,000 a year as Government Engineer of the Canadian Pacific Railway, making \$6,000 a year altogether—he admitted that it was in the interest of the contractors that he had made the suggestion of the additional valuation. He admitted that it was not in the country's interest, although he said he considered the country was to a certain extent in honor bound in connection with this transaction. But from beginning to end he showed clearly that he was laboring in the interest of Mr. Onderdonk, whether from any kindly feeling towards that gentleman or whether it was the Minister of Railways, from whom he was receiving his extra allowance each year, that was urging him to consent to those things, we do not know and cannot tell. But from the beginning to the end of the whole transaction, it showed that the hired servant of the country, in place of laboring in the interest of the country and saving its money, was endeavoring, on the other hand, to press to an issue a question which would put \$100,000 in the pockets of somebody else. I doubt if there is any man in this House who, if he had a servant who frankly admitted that in place of working in his master's interests, he was working in the interests of those who were contracting with his master, or were against his master, would keep him any longer in his service. Now, if the hon. Minister of Railways was at all anxious to settle this question with regard to the liability of the Government, why didn't he refer it to the courts? Why was the matter put through as quickly as it was? Why were these men instructed so hurriedly to immediately go back and amend the report which they had sent in? Why was such haste made to close out the transaction? We find that, in many other things, the Government have delayed months and years in winding up such matters, but in this case there appears to be an anxiety to hurry it through. They would not wait

Mr. McMULLEN.

until the arbitrators could conveniently come here, but they were telegraphed for and urgent appeals were made to close the matter up. All this shows there must be some ground for the suspicion we have as to the manner in which the money was used. Now, Sir, I do not wish to occupy the time of the House any longer after what has already been said, but I do say that any unbiassed man who will take up the evidence and read it carefully over, can come to no other conclusion that there has been a huge transaction of a secret character carried through in connection with this matter, and evidently some person has pocketed the money which the country has lost to the amount of \$100,000 and over. I say that if there was any municipality in the country that elected a council and, at the end of the year, it was shown they carried through a fishy transaction of this kind by which the municipality lost one thousand dollars or two thousand dollars, they would never elect those men to office again and give them their confidence. There is not another case in which men would receive the confidence of the country if they had to submit to an investigation and answer charges of the kind preferred here to-night. I do say I hope the country will waken up to their own interests. I do not know how long they will bear with evidence of the kind shown to the country to-night and allow themselves to be literally robbed and fleeced, but I hope that before long they will waken up and say that the men who engage in or back up transactions of this kind, the Government who are caught in actions of such a fishy character, should be hurled from their positions, and see if they cannot, at all events, get more honest men to put in their places.

Mr. THOMPSON. Although I am aware that this matter has been so fully discussed that it is impossible for any person to speak upon it now without repeating what has been said before—and perhaps better said—I feel especially called upon to say a few words before the debate closes, in consequence of some observations made by the hon. member for South Oxford (Sir Richard Cartwright) before dinner, which surprised me very much. I was relieved, however, from the surprise I then felt, at the resumption of the debate, when that hon. gentleman said he had not seen the opinion from the Department of Justice, and had merely spoken of it from his recollection of hearing it read on a previous occasion. The hon. member for South Oxford declared that the course pursued by the hon. Minister of Railways in this case was most extraordinary, inasmuch as he had proceeded to get an award made for about \$200,000, in spite of the fact that the Department of Justice had advised him—and the hon. member referred to the Minister of Justice as sitting beside him—that there was no legal liability on the part of the Government. Now, it happens that the Minister who advised the Minister of Railways was not the person sitting beside him at all, and that I had not assumed the duties of the office of the Minister of Justice at the time that opinion was given. That, however, is not material to the present enquiry, and I merely state it to remove an erroneous impression from the mind of the hon. gentleman who took so prominent a part in the debate. At the same time, the impression on my mind is in the direction of approving of that opinion, although I was not concerned in any way in the giving of it, and I am inclined to the opinion that the clause in the contract which has given rise to so much discussion to-night gives merely an option to the Crown to purchase the rolling stock which remained at the termination of Mr. Onderdonk's contract. The Minister was so advised, and now the advice so given to him is taken by the hon. member for South Oxford to mean that in this claim there was no legal liability on the part of the Government, and that the \$200,000 was paid against the advice of the Minister of Justice that there was no legal liability. The question submitted to the Department of Justice by the

Department of Railways was not whether there was any legal liability to pay \$200,000 or not, but whether we were bound to purchase the rolling stock mentioned in the contract, and the Minister was simply told that there was not a legal liability to make that purchase. Now, the Minister of Railways laid before the Privy Council a statement of what that answer had been. He cited the report of the Minister of Justice as well as the clause of the contract on which it proceeded. But what I want to call the attention of the House to is that his action was based on the view he took, that although there might not have been any legal obligation on the part of the Government to purchase that rolling stock, there was a moral obligation to do so. Now, Sir, this question has been put before the House this evening as if that was a most absurd delusion on the part of the Minister of Railways—

Mr. MILLS (Bothwell). Hear, hear.

Mr. THOMPSON. And my hon. friend who says "hear, hear" seems to be under the mistake some of his friends made when they addressed the House on this subject, of supposing that there was nothing on which to base the opinion of the Minister of Railways that there was a moral obligation here, except the mere insertion in the contract of those terms which I shall presently read. Before this contract was made at all, and when Mr. Onderdonk and everybody else were invited to send in their tenders, a specification was put before the public as clause 75, in these words:

"At the close of the contract any engines and platform cars which may be considered by the engineer fit for further use may be transferred to the Government on the valuation of the engineer."

Now, it may be that as a question of contract, there was no obligation on the part of the Government to purchase that rolling stock. But the intimation was held out that at the close of this contract there might be a transfer of this rolling stock to the Government; and when we received Mr. Onderdonk's tender based on that intimation, there was a moral obligation, if not a legal one, to give him the benefit of that provision. That is all the Minister of Railways decided to do, and that is precisely the case put before the Government. Now, Sir, I want to call attention to this fact, although I admit that I am repeating what has been well said by my hon. friend from North Simcoe (Mr. McCarthy) and my hon. friend from Pictou (Mr. Tupper) as regards the authority that was to determine its valuation: By the express terms of the contract, the valuation of this rolling stock was to be determined by the engineer. A great deal has been said by the hon. member for Halifax in the way of interrogation as to who is the engineer? and who is Mr. Schreiber? and who is this one, and who is that one, and what right has he to change the contract? Let me tell the House, after glancing at this contract, who the engineer was; he was the supreme authority agreed upon between Mr. Onderdonk and the Government of Canada as the person to determine not only the valuation, but the question of the interpretation of the contract from one end of it to the other. By the contract, which both the Government and Mr. Onderdonk executed, it was agreed that every question from beginning to end was to be left to the determination of the engineer, and it was for the engineer to determine not only what was the value of the rolling stock as rolling stock, not only what was the value of the transport to a given point, but what principle should be acted on in making the valuation. Now, it was said by the hon. gentlemen on the other side that that condition of the contract was altered, inasmuch as subsequently it was dispensed with, and that instead of the engineer exercising his functions, he transferred them to Mr. Reed and Mr. Clark. I beg to say, after looking at the papers as well as I have been able to do during the short

time at my disposal—for I had not heard of this question before it was brought up this afternoon—I come to a very different conclusion as to what was the effect of the appointment of Mr. Reed and Mr. Clark. Mr. Schreiber, in his letter to the Minister, declares that it is expedient to appoint Mr. Reed and Mr. Clark to make the valuation, not because he is incompetent and they have to be substituted for him as the authority for interpreting the contract, but simply because it is inconvenient for him to visit British Columbia at that season of the year.

Mr. MILLS (Bothwell). No.

Mr. THOMPSON. Yes, expressly so. My hon. friend from Prince Edward Island said that what Mr. Schreiber said before the committee was that he did not feel himself competent. What has that to do with the case? The contract made him, whether competent or incompetent, the judge, and nobody else; and the question that was before the Minister, when Mr. Schreiber recommended the appointment of Mr. Reed and Mr. Clark, was not the question of Mr. Schreiber's competency, because that had been settled by the contract, but the question whether it was convenient for Mr. Schreiber to go to the spot and investigate the details, or to be informed by experts who would go to the spot to examine the details. Well, those gentlemen went out to British Columbia, and they made a report to Mr. Schreiber. That was not a report that bound the Government or Mr. Onderdonk, unless it proceeded on the principles that ought to regulate the valuation, and the valuation they made showed on its face that they had awarded simply the value of the rolling stock as it stood there at that time; and the engineer, who alone was competent to judge this question, said that in fairness to the contractor he was entitled to be paid on a different principle from the mere value of the rolling stock as it stood there, and he said to them: "You are entitled to take into consideration the isolated position of that rolling stock in British Columbia as it stood when it was placed there by Mr. Onderdonk, subject only to depreciation in value." Now, my hon. friends on the other side say that this is a mere question of transportation, and I was very much impressed with the remarks of my hon. friend from Prince Edward Island this afternoon when he said: The full effect of the change which Mr. Schreiber instructed the valuers to make was to add to the \$72,000, which was the value of the rolling stock, the cost of transporting it there. The House will find that the word "transportation" has nothing to do with it whatever, but that the valuers were instructed by Mr. Schreiber to consider what compensation Mr. Onderdonk was entitled to, in view of the difficulties of placing that rolling stock in that position. Now, the hon. member for Queen's (Mr. Davies) referred to the memo. signed by those valuers, in which they showed that \$36,800 was the sum which they would add to their valuation of the rolling stock, on account of the cost of transportation; but let me call the hon. member's attention to the fact that the memo. includes simply transportation, and that did not, by any means, cover the whole principle on which the arbitrators were instructed by the engineer to report. Let me show how their report is made up. They allowed for transportation of 24 flat cars at \$300 each, for the reason that those cars were transported from the east. They allowed for 161 flat cars, which were built at Yale, \$100 each for transportation from Yale. But the transportation from Yale would not cover the principle on which they were instructed to report at all, the fact being that those cars had to be built at Yale under most disadvantageous circumstances, entailing great expense on the part of the contractor, and yet these valuers allow \$100 simply for each car to be transported from Yale, on the same

principle as if Yale were a place at which cars were built all the year round, and the order only required to be given for flat cars to have them constructed without delay, and rolled on to the site of the Onderdonk contract. The fact is that in Yale nothing was to be found fit for the purpose of building the cars except the labor and the wood. Everything else that entered into their construction had to be transported from the eastern Provinces and the eastern States, and the transportation had been made so difficult by reason of the desire of the American railways to prevent and hamper the construction of the Canadian Pacific Railway, that, in many instances, the machinery and the locomotives, and the material for construction, had to be carried by water. Machinery that was actually constructed and put up in Philadelphia, had to be transported by water around Cape Horn in order to reach British Columbia. Yet the only addition these valuers were willing to make, was the cost of bringing the cars from Yale to the site of the contract. Under those circumstances, Mr. Schreiber believed that, in adding the simple transportation from the place at which the cars were constructed, to the site of the contract, they were not fully and fairly estimating what Mr. Onderdonk was entitled to be compensated for, namely, the difficulty of placing rolling stock in that position at the time it was placed there; and, they had to act on that principle, no matter with what reluctance, for the engineer was the person who was to decide whether the additional valuation was to be made or not. Then the valuers made the statement appended to the evidence showing their estimate as to what it would cost to replace the rolling stock, previously reported on, at the completion of the contract in July, 1885, taking into account the duty and other charges to place them in that isolated position—not based on the mere question of transportation, but based on the position of that rolling stock in that difficult place, and making the sum total the award subsequently reached by them. I say with the hon. member for North Simcoe (Mr. McCarthy) that it is not for me or this House to decide whether the engineer was right or wrong in adopting that valuation and insisting upon that principle. The fact was that the two contracting parties made him the judge, and, in acting on the decision arrived at by him, under the instructions to the subordinates he sent out to report on the details of the case, the Minister of Railways was simply acting on a decision of the person who was to be the sole judge between him and the contractor. My hon. colleague entered into the matter, as I have said, in the first instance, from a sense of moral obligation imposed upon him by the fact that he had invited the contractors and every person who would tender to consider the fact, in making a tender, that, in all probability, this rolling stock would be taken off his hands. I would not detain the House in making any statement on the subject, if I did not think that, in some respects, it had been misunderstood by hon. gentlemen opposite, and that, in other respects, the case had not been fully stated. When the public come to examine the case and to read, not the biased statements addressed to the House this afternoon by hon. gentlemen opposite, but the evidence in the papers, they will see very little foundation for the insinuation thrown out this afternoon that the Government have acted in a manner that was impure and corrupt in connection with this transaction, and with a view to their own personal advantage.

Mr. MILLS (Bothwell). I shall follow the example of the Minister of Justice, and occupy the attention of the House but a very few moments. I have very little to say that is new with regard to this matter, but the observations I purpose making are rather intended to call the attention of the hon. gentleman to the character of the charge made. The hon. the Minister of Justice admits that there was no legal

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liability. He said his predecessor in office so advised the Government, and in the opinion of his predecessor he concurs, and not in that of the hon. member for North Simcoe (Mr. McCarthy); but the Minister of Justice at the same time informs the House that, although there was no legal liability in the matter, there was moral liability. Now, I confess my inability to discover how there could be any moral liability in a case of this sort, where there was no legal liability. The contract expressly provides that there is to be no incidental contract for claims arising, by inference, out of the express terms of the agreement. The terms of the contract are such as to exclude the possibility of any moral liability, if there was not in the provisions of the contract expressed legal liability; so that the wording of the contract, it seems to me—the moment the Minister of Justice admits that there was no legal liability under the contract—precludes the possibility of any such pretension as that which he puts forward on behalf of the contractors in this matter. The whole argument of the Government, the whole defence of the Government in dealing with the contractors for the purchase of this plant, is based upon the assumption that, in making the tender for the construction of this portion of the Canadian Pacific Railway, the contractors acted upon the assumption that the Government were to take off their hands this plant after their work was completed. Now, if there was no legal liability on the part of the Government, if there was no provision in the contract that the Government were under legal obligation to accept the plant at its valuation, when the work was completed, by what means can the Government, or hon. gentlemen on that side, come to the conclusion that the contractors tendered for a much smaller amount, because they assumed that this purchase was to be made? Why, the very terms of the contract, the mere permission to make the purchase, would not permit the contractors to proceed on any such assumption. On the contrary, they took into consideration, in making their tender for the construction of this work, the cost of obtaining plant to carry on their operations and doing the work they had contracted to perform; and, having taken that into consideration, their estimated cost of the construction of this portion of the Canadian Pacific Railway embraces also the cost of the plant they required for this purpose. That being the case and the terms of the contract and the construction put on the terms by the Minister of Justice precludes any other conclusion—then there was no moral obligation whatever on the part of the Government to make this purchase, and there was no diminution in the contract price in consequence of any understanding or expectation that the Government would make such a purchase. Then there is a provision in the contract that, in case there is a sale made by the company to the Government, the engineer shall be the party to estimate the value of the plant, and not, as the Minister of Justice said, at its cost when coming into the country and its actual deterioration from that cost. There is no such provision. It is the value the plant has when the contract is completed, no matter what that may be, and wholly irrespective of what it may have cost the parties who own it. That was the position of things. That is the provision of the contract if the purchase is to be made. What did the Government do? The engineer said, the Minister of Finance has said that the engineer was otherwise engaged, and further that he was a railway engineer and not a mechanical engineer, and, therefore, it did not fall within his special qualifications to estimate the value of this plant; and, therefore, he preferred that it should be done in another way. What did the contractors, Onderdonk and Co., do? They agreed that the matter should be left to arbitrators, and it seems to me preposterous to argue here as to the terms of the contract and to refer to the engineer as if he

were the party and there could be no other party to fix the value of the plant. The fact is that the terms of the contract were superseded by a subsequent arrangement between the Government on the one side and the contractors on the other. That arrangement was that they should appoint arbitrators, that the arbitrators should choose an umpire, and that the two arbitrators and the umpire should decide the value of this plant, wholly irrespective of the contract. There is no provision in this subsequent arrangement that the engineer shall override and supersede the judgment of the arbitrators, and shall fix the value independent of them. He started out with a declaration that he was not qualified, that it was not within his special functions. It was because he was not specially qualified that he recommended another mode of procedure from that which is found in the contract, and that other mode of procedure was agreed upon between the Government on one side and the contractors on the other, and the arbitrators were appointed. They proceeded to enquire into the value of this plant, not into its original cost less the deterioration which had taken place from wear and tear, but its actual value when the work was completed. That was their instruction according to the terms of the agreement. The only change made since the option to purchase was exercised was that the engineer was superseded by this board of arbitrators; and they said it was worth \$72,000. Who says that they did not take into consideration the cost of transportation? What evidence is there that they did not take into consideration all the elements which go to make up the value of the plant when they fixed the value at \$72,000? I say it is perfectly clear from the declarations made by Mr. Reed again and again, that they did take into consideration that cost of transportation. They took into consideration the necessity of importing materials and everything necessary to determine the value those cars had in the place where they were found. That is perfectly clear, and, after taking into consideration all these matters—and they were appointed on account of special fitness—they said that \$72,000 was the value of this plant. Then Mr. Onderdonk objected on one side, and the engineer and the Minister of Railways also objected. They both concurred in dissenting from the view of the board of arbitrators, and they worried them, and they pressed them and bulldozed them into a reconsideration of the contract. These men refused again and again, and then what did they do? In the end, not altering their judgment as to the value, they allowed the Minister and his engineer to intervene, and to say there should be added a certain sum for the cost of transportation. What appears? That the cost of transporting these materials, from abroad into British Columbia, was \$27,000. That was Mr. Onderdonk's own representation to the Minister, and that representation was concealed from the arbitrators, and another and a different value was arrived at, of which we have no means of knowing until we had the declaration from the member for North Simcoe (Mr. McCarthy) to-night as to how it was made up. Then we have the statement made by these gentlemen that they themselves had made an estimate independent of this, and, making all due allowance with the view of meeting the views of the Minister of Railways and the engineer, they estimated the value at \$36,800. If we add that \$36,800 to the \$72,000—and that would be estimating for the cost of transportation twice over—we will see that we are still over \$100,000 short of the amount which the Minister of Railways has seen proper to allow to these parties for this worthless railway plant: The hon. gentleman admits that it is valueless, or has but little value. He admits that more than \$700 was allowed for cars that the parties valued at \$60. He admits that more than twice the amount that those parties were, in the estimation of competent specialists, entitled to receive for those cars

and those engines was paid. He admits that they have paid \$100,000 and upwards to them in this way. It is impossible that such a transaction can be successfully defended, and so we find the Minister of Finance taking one view, we find the hon. member for North Simcoe (Mr. McCarthy) saying that the hon. gentleman is all wrong, and taking another view, and making a defence which is worse and more serious than the charge which has been made by the hon. gentlemen from this side of the House, and then we find the Minister of Justice presenting a third view of this transaction. The transaction has been defended from all points, and it has been unsuccessfully defended from every possible ground chosen with the view of making out a case, not, perhaps, to exculpate but to extenuate the offence which has been committed by the Minister of Railways. It is impossible that this transaction can rest here, it is impossible that this House can allow, with respect to itself, such a transaction to pass without further investigation. It will be necessary that further enquiry shall be had, and that the public should be thoroughly aware why the Government had paid to a contractor more than \$100,000 beyond the sum to which he was entitled if they were disposed to act upon that provision of the contract.

Mr. McLELAN. The figures which the hon. member for South Oxford (Sir Richard Cartwright) gave, were evidently a misprint, because I remember the hon. gentleman stating that the prices reported are the correct prices, as the price given very much exceeded the \$200,000.

Motion agreed to, and House again resolved itself into Committee of Supply.

(In the Committee.)

Maintenance and repairs of Government steamers...\$149,750

Mr. FOSTER. The increase, \$19,750, is almost entirely accounted for by the repairs and improvements made on the steamer *Napoleon*. The old engines and boilers were in use for about 30 years and were no longer safe.

Rewards for saving life in the life-boat service..\$3,000

Mr. WILSON (Elgin). I wish to call the attention of the Minister to the case of a young man at Port Stanley. I am informed that the captain of that life-boat was absent for a period. The Department was aware of his leaving, and they deducted the amount of his, the captain's, salary for three months. The second in command, or the other individual who took charge of the crew and the drill, attended to the service during this time, and he made application for an increase of salary during the time the captain was away. The Government did not seem disposed to allow him any consideration other than the ordinary pay that he received as a member of the crew. He complained, and, I think, justly, that he ought to be allowed something in consideration of his taking charge of the crew during the absence of the captain. These are the statements he has made to me. I have been to the Department on several occasions and could get no satisfaction, further than that the Department had not appointed this young man to take charge of the boat during the absence of the captain. Although the Government deprived the captain of his salary for three months, they did not give the young man any extra consideration for his having taken the captain's place. I understand he performed the duties with perfect satisfaction to the Department, and, therefore, the Minister ought to pay some attention to the claims of this young man, who is very respectable and has performed his duties satisfactorily.

Mr. FOSTER. I will take note of that.

Subsidy to a line of steamers to run between France and Quebec.....\$50,000

Sir CHARLES TUPPER. It depends upon the circumstances how long the subsidy will run. If the service is not

performed in a manner satisfactory to the Government, it can be terminated at any time. It provides for steamers of a sufficiently large size and good class to perform the service for two years, and after that they are obliged to put on a better class of steamers and to make more frequent trips. The service also calls occasionally at St. Pierre et Miquelon, on the way. In the event of an arrangement being made to obtain a fast line of steamers between France and Canada, this arrangement can be terminated at the end of two years; but if the service is satisfactorily performed, it will go on for five years.

Mr. DAVIES (P.E.I.) So that after we have tried the experiment, whether we are satisfied with the results or not, we are not in a position to terminate the contract until five years have elapsed? We are trying an experiment. We may find at the end of two years that the experiment is useless, and then we have no power to terminate the contract at that time, but we must go on paying \$50,000 a year for five years.

Sir CHARLES TUPPER. Not in the event I have mentioned, of getting a fast line of steamers.

Mr. DAVIES (P.E.I.) Whether any trade is brought by the subsidising of the steamers or not, we are not able to withdraw until the end of five years.

Sir CHARLES TUPPER. Yes; but the hon. gentleman will see that it will be quite impossible for the service to be efficiently performed unless there is considerable trade. The subsidy would not maintain the line and in that event it would not be able to perform the service effectually, and the Government would at once terminate it. If the service is satisfactorily performed and we do not secure a line of fast steamers within two years, the arrangement will run then five years. If an arrangement is made for a fast line between France, England and Canada, it is provided in that event that we can terminate the contract. It is impossible to obtain such a service for a single year. Arrangements cannot thus be made; there must be a certain term of years in order to warrant parties in preparing such vessels as are required to efficiently perform the service, and for that reason it was considered that five years was as short a period as we could propose, with the contingency I have alluded to of having a fast line established.

Mr. DAVIES (P.E.I.) I was not criticising as regards the period and the terms of the contract, but I was seeking information. I understand that the company does not contract to carry a certain amount of freight. That is a contingency we have to risk; they may have freight or not. This arrangement means a payment of \$250,000 for this service.

Sir CHARLES TUPPER. Yes.

Winter service, P.E.I. \$5,000

Mr. DAVIES (P.E.I.) Has it been reported to the Minister that the number of boats requires to be increased?

Mr. FOSTER. No. We now have all the boats necessary, and extra boats as well.

Lighthouse keepers, including Cape Race \$180,000

Sir RICHARD CARTWRIGHT. Does the increase represent additional lighthouses or increases of salary?

Mr. FOSTER. Partly increases of salaries and partly due to new lights.

Sir RICHARD CARTWRIGHT. In what proportion?

Mr. FOSTER. In Quebec there is an increase of \$468. Of this amount \$150 is for new lights and the balance for Sir CHARLES TUPPER.

increase of salaries. As the officers become older in the service and work well, they are occasionally given small increases. In Nova Scotia the total increase is \$1,325, of which for new lights there are \$100, \$400, \$100, \$120 and \$400—nearly the total amount.

Sir RICHARD CARTWRIGHT. I observe that the figures given do not conform with the details given in the estimates.

Mr. FOSTER. They do not exactly agree, but the difference is very slight.

Mr. EISENHAUER. I observe there are \$40,000 appropriated for Nova Scotia. I should like to draw the Minister's attention to the petition sent to him from the county I have the honor to represent for an automatic buoy to be placed at the entrance of the harbor. Last year two vessels were lost on entering the harbor. One vessel was lost with its entire cargo, and very nearly loss of life to those on board. A very large number of vessels enter Lunenburg harbor, and it is very important that a buoy should be placed there, otherwise if any disaster occurs the Government will be responsible. Although the county formerly sent a supporter of the Government, who, the hon. Finance Minister stated a few evenings ago, represented the county so ably, a buoy was not placed there.

Mr. FOSTER. The attention of the Department has been called to that and a great many other points in Nova Scotia, the coast of which extends over so large an extent. It is impossible to cover all those applications in a single year, but as rapidly and efficiently as the Department can do so they are meeting the wants, from year to year, out of the appropriation.

Sir RICHARD CARTWRIGHT. Why does Cape Race light require an additional \$1,000?

Mr. FOSTER. It is not an additional sum. That light was taken over from the British Government somewhat recently, and this is the first year we have had to pay the salary for its maintenance. The salaries paid by the British Government was \$1,944; under our arrangement we have the whole taken care of for \$1,000.

Mr. JONES. I have received a letter from the county of Cumberland respecting the appointment of two lighthouse keepers in that county, which I will now read:

"Some time last fall an old gentleman by the name of Robert Ward was appointed to take charge of Cape Sharp lighthouse. He is an old gentleman of about seventy-five years; he has been a cripple for years, using both a crutch and a cane. After he received this appointment he went to Cape Sharp lighthouse and remained there about two days, and finding he was too old and infirm to attend to the duties of the lighthouse he deputed a man by the name of Finney to attend to the light for him."

The other appointment to which I refer is that of Andrew McCullough, of Apple River lighthouse. He is likewise a cripple over seventy years of age. I am informed that no man over sixty years of age can be appointed a lighthouse keeper, and further they must be smart and be able to manage a boat in case of accidents, which neither of those old men is capable of doing. If this statement is correct, and I am giving it according to my information, it appears to me a very improper appointment that two men over seventy years, both of them cripples, should be appointed lighthouse keepers, and have to delegate the duties of their position to other people. They were appointed last summer. Perhaps the hon. gentleman can explain the matter.

Sir CHARLES TUPPER. I am extremely obliged to the hon. member for Halifax (Mr. Jones), for the kindly interest he has taken in the county of Cumberland. I confess that the county has not had representation either at

present or for the last thirty years that was sufficient to secure care of all the various interests of the country, and I am extremely grateful to the hon. gentleman for lending me his assistance. I can only tell him that the parties to whom he referred are parties who enjoy the confidence and respect of all classes of the community. Captain McCullough who has been appointed at Apple River, is an old sea captain. He has lived in a remote section of the county, he has spent his life there, and I am quite certain that while that light is under his management—a short time it may be—there will be no failure on his part to have the service efficiently performed. As far as Mr. Ward is concerned and the duties confided to him, I may say that he has engaged a vigorous and athletic young man to act under his immediate superintendence in discharging his duties, and there has been no complaint whatever with reference to either of these lights. I again tender my most grateful thanks to my hon. friend for his kind assistance in endeavoring to secure for the county of Cumberland due consideration from this House and from my colleagues.

Mr. JONES. I am glad the Finance Minister appreciates my kind interest in the welfare of the people in the county of Cumberland, but I think it will be observed that the people of that county have not for years had the benefit of representation by that gentleman in this House. He has been employed doubtless in a more congenial atmosphere, where, perhaps, he did not pay much attention to these matters; having such large interests to represent he possibly did not consider these matters worthy of his royal attention. However he has not disputed the information conveyed to me in this letter. I said I knew nothing about it myself, but I thought it my duty to inform the Minister of Marine of the representations made to me, and if the statements here made, which the Minister of Finance has not pretended to deny, that two men, both cripples, seventy to seventy-five years of age, have been appointed, I do not care where it may be, to take charge of the lighthouses, considering the large interests involved and which generally require the services of younger and more active men, I must join with my friend who has written the letter, but who is entirely unknown to me, in thinking that it was a highly improper appointment.

Mr. FOSTER. I may say that there has been a great deal of correspondence, and my hon. friend may have received his letter from a person who was interested in the appointment. I doubt if the statements there made are correct; no complaint has been received from shippers or sailors with reference to those lights.

Mr. JONES. The Minister of Finance does not dispute the facts.

Mr. FOSTER. I am simply giving the hon. gentleman what I know about the matter. I have received no complaint. Our inspector of lights has been lately at one of those places and has made a report, stating that the lighthouse is properly cared for. If we have any complaints from shippers, or if our inspector reports that any lighthouse is not being cared for, of course the Department takes immediate action. But the letter which the hon. gentleman has read is one of a great many of that kind of letters which have been received with reference to many appointments, and which are sometimes found not to state the facts exactly.

Mr. MULOCK. The hon. gentleman states that he has received a lot of letters with regard to those appointments. I would ask him what objections were raised to the appointment?

Mr. FOSTER. Well, I cannot tell from memory. I only know that there is a great deal of correspondence about it, as often takes place when there are many aspirants for an office.

Mr. MULOCK. It is satisfactory to know that the Minister of Marine, who has not himself attained the age of an octogenarian, should have so great respect for men of that age. It is right to have respect for them, but it would be interesting to the country to know if it is his regular practice to appoint to positions where great activity is necessary, or, at all events, should be within reach of the occupant, persons of these mature years?

Mr. FOSTER. It remains to be found out whether the information is correct. The hon. gentleman himself did not say it was. He said he merely gave it as he got it, and it may not be correct.

Mr. MULOCK. Is there any information in the Department touching the age and alleged infirmities of those two officials?

Mr. FOSTER. I have no doubt there is.

Mr. MULOCK. Does the hon. gentleman know whether these statements are substantially correct?

Mr. FOSTER. I have said before that I did not think the statements would be found to be correct.

Sir RICHARD CARTWRIGHT. I call the Minister's attention to the fact that the Finance Minister, whose memory of his constituency is good, and who apparently knows of one of the men personally, did not dispute the statements as to the matter of age. Now, I know nothing about the age of those gentlemen, but I take it for granted that the Minister could obtain from his Department, and should do so now that his attention is called to the matter, evidence of the age of these men. The age of lighthouse keepers is an important element in their efficiency, and I call attention to the matter for this reason: that it is within my own knowledge, and I dare say within the knowledge of other members of the House, that what I regard as a vicious practice has sprung up, that there is a habit creeping into this service of appointing men who proceed to farm out the duties of a lighthouse keeper. I have known of cases where the men that were appointed have regularly farmed the thing out—appointed one man one year, and, finding that the service could be got for \$25 less, have displaced this man and put in another, and so on until in one or two cases, about one-third of the salary paid by the Department goes to the man who really does the work. Now, that is not the intention of this House; we do not propose to create a number of employés, small or great, who are to farm out their appointments to other men to do the work, and pocket one-third or one-half of the salary, or whatever proportion it may be. And I take it for granted, if my hon. friend is correctly informed, if those two gentlemen are of the age and infirmity he describes them, we are practically pensioning them, and they are paying only a small proportion of their salaries to do the work. I submit that the practice is vicious and dangerous, more particularly in the case of lighthouse keepers, where there is the strongest possible reason for seeing that the men appointed are able personally to do the work. There is not merely property but life, and sometimes an immense number of lives, involved in the proper attention to lighthouses, especially on the Atlantic coast. Of course, I know nothing of the facts, but I think after the statements which have been made enquiry should be had in the Department, and the hon. gentleman should bring down a statement of real age and physical condition of those men.

Mr. FOSTER. I have made a note of the matter, and I may say that I quite agree with my hon. friend in the position he takes. We have some 600 lighthouse keepers, and it may happen once in a while that the Department may get imposed upon by a man who farms out the

work. I am investigating two or three such cases now; and it is the rule of the Department—which I intend vigorously to apply, that the salary shall go to the person who takes care of the light, and that it is not proper to give appointments to men simply to farm out the service.

Mr. MITCHELL. I do not at all sympathise with the statements made by some of my hon. friends on this side, and I do not know that I altogether agree with the last remark of the Minister. I do not think that men should be appointed to farm out the lighthouses, but we know that in our maritime country there are generally a lot of maritime people where there are lighthouses, old ship captains, old mates, old seamen who are unable to make a living in any other manner, but who often make very good lighthouse keepers. I made it a rule when I was Minister of Marine, and I state this for the benefit of the hon. gentleman, that the age of a man in the position of lighthouse keeper was not so much a matter of consideration as his fitness otherwise for the performance of the duty. I recollect that on one occasion a gentleman who did not support the side of the House I was on—and it was charged against me that I had a sympathy for this side of the House even when I was a Minister—urged me very strongly to get an appointment for a person who he said was well capable of performing the duty out west. I spoke to one of my colleagues who had the patronage of that section of the country, and as he did not seem to object very much, I gave the man the appointment. When the time for the annual return of the inspector came round, and the oil vessel that visited the different lighthouses returned from her trip, the inspector came to me and said: "Did you see that man you appointed at Blue Bonnets?" I said: "No, what is the matter with him?" He said: "When we got to Blue Bonnets we had to hoist him up and place him on the rock on which the lighthouse stood." I said: "We will have to look into that;" but he said: "He has a daughter with him who is quite able to take care of the lighthouse." So I think it is only right to give those old seamen, who are probably quite unfit for anything else, these appointments. It is true, in dangerous places, persons should not be selected who are physically unable to get out in time of distress; but there are a very large number of lighthouses throughout this country which are more for the sake of guiding ships in ordinary commercial operations than where there is actual danger of shipwrecks; and whenever an old pilot, or an old captain, or mate, or seaman turns up, I made it a point to protect that class and give them the appointments wherever I could do so, and in cases like that I would impress on my hon. friend not to lay down too strictly any limit as to age or physical ability. The question is, is the work to be performed by him or a member of his family, his wife or his daughter, well done? And if it is, I think the rule should not be too strictly laid down. I acted on that principle, and it worked well, and I think that during my administration of the Department there were few complaints on that account.

Mr. FOSTER. You would not call that farming out, though?

Mr. MITCHELL. No, farming out is quite a different thing. Where a man gets the lighthouse for party service, and simply farms it out to somebody else, I would put my hand on that sort of thing. But in regard to these old pilots and seamen who are not able any longer to follow the pursuits of the sea, and who are always looking for these stations, I urge the hon. gentleman, if he finds that the work can be done by the man or by a member of his family, not to draw the line too strictly.

Mr. EISENHAUER. I would like to call the attention of the Minister to the fact that the lighthouse keeper at Mahone

Mr. FOSTER.

Bay, in the county of Lunenburg, a very old man, is farming the lighthouse out at about one-fourth of the salary. I just draw the Minister's attention to the matter.

Mr. JONES. There is another case which I would like to bring to the notice of the Minister of Marine. He may remember a pilot in Halifax called Bernard Gallagher, who was suspended by the Halifax commissioners for having gone in a steamer to Boston, instead of leaving it at the mouth of the harbor. He subsequently brought letters from the captain to prove that, owing to the condition of the weather, it was unsafe for him to attempt to land. The pilot commissioners suspended Gallagher, and his case was for some time in abeyance. They had the right to suspend or to fine him, but they had not the right to do both and withhold his salary. Subsequently, when the matter was brought to the attention of the Department, Gallagher was restored, but the pay he would have earned during the time he was suspended was withheld from him. He made a claim, very properly, I think, that, having been found in the right, he was entitled to be put in the position he would have been in had the commissioners not exerted their authority over him, and he lost six or nine months of his pay. I think it is a case that the Government should have entertained, and they should have put Gallagher in the position which, according to the ultimate decision, he was improperly deprived of. If the hon. Minister remembers the case, perhaps he can tell me what he will decide to do.

Mr. FOSTER. The case has been before me and the Department has decided it. Gallagher did go against the rules, and was suspended in consequence, and there were certain other actions of his. Taking all into consideration, I thought the commissioners were perfectly justified in suspending him, and when he was restored he had, of course, to lose the salary that had accrued on account of that conduct.

Mr. JONES. The hon. Minister will remember that he was suspended not for any other cause than having gone to Boston in that steamer. I am aware that the commissioners said he had done something irregular on a previous occasion, but that charge was not made against him, and I think the Minister will agree with me that if the board had condoned any previous dereliction of duty they could not act as they did, and that Gallagher should have received his pay.

Mr. FOSTER. It was not owing to previous, but to subsequent transactions.

Mr. GILLMOR. I would like to enquire of the Minister why the lighthouse keeper on the sand reef at St. Andrew's was suspended?

Mr. FOSTER. Who was the keeper?

Mr. GILLMOR. John Connolly. There are two lighthouses in my county, and three men have to be accommodated. There is the lighthouse at Blissess Island, kept by Mr. Hugh Maloney, who is about 65 years of age; there is the lighthouse at Sand Reef, kept by John Connolly, a man about 45 years of age. There is an ardent supporter of the Government living near Blissess Island, by the name of Cornelius McNicol, about 50 years of age. Mr. McNicol wanted Mr. Maloney's position, as he lived near Blissess Island, and Mr. Maloney resided in St. Andrew's, 30 miles away. In order to provide a light for Mr. McNicol, a superannuation had to be made; so the youngest man of the three was superannuated, Mr. Maloney was transferred to the lighthouse at St. Andrew's, and Mr. McNicol was given the lighthouse at Blissess Island. Mr. Connolly, who was superannuated, and who was 10 or 15 years younger than the man who took his place, now walks about at an expense of \$10 to \$15 per month to the Government.

Mr. DAVIES (P.E.I.) You do not charge any politics to the Government?

Mr. GILLMOR. I do not. Perhaps the Minister may be able to give some reason why John Connelley was superannuated. I agree with the hon. member for Northumberland that mariners of advanced years, who have been pilots, should get these positions. The interests of the marine are consulted by putting these men into lighthouses, even if they are advanced in years, because they know the importance attached to the duty of lighthouse keepers. There are many places in which they are not called upon to man boats, in which there are no life-boats, and these men will attend to the work better than younger men.

Mr. FOSTER. My hon. friend has gone to ancient history in the case of Connelley, for he was dismissed before I became Minister, and I cannot answer the hon. gentleman on that point. He was taken away from the island, I believe, because a fog alarm was put there and it required an engineer to run it, and he was put on another light, from which he was removed because he became a cripple.

Mr. PLATT. This system of superannuating old and decrepit lighthouse keepers, because they are old and decrepit, and of putting others in their places for the same reasons, reminds me of a cartoon I saw a few days ago, of two old and decrepit gentlemen—the one about to leave an exalted position in this country on account of his ill-health, and the other about to assume that position for the same reason. It may be very well, in the system of lighthouse keeping, that old persons, having a knowledge of marine matters, should be appointed, where they run little or no risk of being called on to save lives or property. There is a case in point more recent than that mentioned by the hon. member for Charlotte (Mr. Gillmor). I refer to the change made with regard to False Ducks Island lighthouse. Mr. Swetman, an old gentleman advanced in years, who had kept that light for nearly a quarter of a century, without any complaints having been made against him, who was thoroughly competent to perform his duties, and was exceedingly anxious to continue performing them, was replaced by a man nearly as old as himself, who was not able to work his farm, and is totally incapable of managing a boat. Mr. Swetman, finding himself not at all at home on the mainland after he had left the island, sought among his friends to obtain some influence with the Minister, to restore him to his position. He even offered \$500 to Mr. Lane, the new occupant of the position, if he would resign in his favor, and failing to succeed in getting back his old place, he and his family left the country, and are now in the United States. The gentleman appointed is nearly 70 years old, ill in health, and unable to do the work alone. But he has been an active politician all his life; and I am told he was in a position to pay \$500 or \$600 to influential parties to secure the coveted position. That, of course, is mere rumor, and perhaps the Minister will busy himself finding out if it has any foundation in fact. I would ask the Minister, speaking of the responsibilities of lighthouse keepers, if he is in the habit of naming several keepers to one light? Who is responsible for keeping the Deseronto light, which the Rathbun Company has charge of? I do not know who the Government would superannuate in this case, as the company is composed of some 10 to 15 persons, or who would be the first superannuated. Perhaps it is the best way to manage a light to give it in charge of several keepers, but that is contrary to the principle laid down, that these positions should be given to deserving mariners, be the salary ever so small; and I am confident that the Rathbun Company could very well dispense with this emolument. In fact, it seems to me strange that that rich and influential company should receive such an appointment.

Mr. FOSTER. As to the displacement of the keeper of the light at False Ducks Island, that was done on the recommendation of our officers that he was incompetent, as an improved light was put there and he was unable to take

charge of it. The report of our officer stated that he was incompetent, and on that ground he was removed and another put in his place. As to the Deseronto light, we pay the company to take charge of it, and we find that to be a cheaper way than otherwise. As to which one of the members of the company should be superannuated, that, of course, is another matter, and it will be time enough to decide that when the occasion arises.

Mr. PLATT. Will the hon. gentleman say that, in the case of Mr. Swetman, demands have not been made of the same kind ever since he has been in office, and that in many cases it has not been stated that Mr. Swetman was willing to accept superannuation, and was unfit for his position before the new light was put there. If Mr. Swetman is incompetent to perform the duties, certainly the present man is totally unfit to perform them, because everyone who knows the two men is aware that Mr. Swetman is the stronger and abler man of the two, and is only two or three years older than his successor.

Mr. JONES. At the risk of incurring the displeasure of the Ex-high Commissioner and future High Commissioner, if he were here, I have another letter to read to the House. These letters have been sent to me. I do not vouch for their accuracy, but I feel that it is my duty to bring such letters to the notice of the House:

“SYDNEY, CAPE BRETON.

“Capt. John Lorway, who had been port warden of this port since 1874, has been in the most ruthless manner dismissed recently, if not in whole, at least in part, from that position. This port of Sydney includes the piers of the Sydney and Louisburg Company, the International Coal and Railway Company, and also the Victoria pier. By some inexplicable edict of the Government, Capt. Lorway's services have been dispensed with at the Victoria and International piers, at which points Mr. Barrington, at the Victoria, and a Mr. Stirling at the International, have been appointed.”

Now, it would appear from this that Captain Lorway, whom I know by reputation, though I think he is known better by my hon. colleague (Mr. Kenny), is a very energetic man. It seems that he has been discharging the duties of port warden there since 1874, and that he has been dismissed in a most summary manner in order to provide appointments for two other parties. This is multiplying offices. Instead of one port warden at the port of Sydney, it appears they are to have three port wardens. I am not sufficiently acquainted with the trade of that port to express any opinion in regard to that, but it seems to me that, if Captain Lorway has been able to discharge the duties of his office since 1874, it was a fair argument in favor of his being able to continue to discharge them for the future. I believe the information I have received to be strictly accurate.

Mr. FOSTER. If the hon. gentleman's information, in regard to the other matters on which he has spoken, is no more reliable than that, I think I am safe in saying it will not be found to be true. Mr. Lorway has not been dismissed.

Mr. McDOUGALL (Cape Breton). In reference to the statement of the hon. gentleman, I desire to inform the House of the particulars in regard to this official. Capt. Lorway has been the port warden for Sydney for many years, his duties extending to Victoria mines, the shipping pier of which was established a sub-port of entry last year, and Capt. Lorway, who lives eight miles from the port, has been in the habit of farming out his duties to Mr. Barrington, who is now appointed on the recommendation of the manager of the mines, and sent through my hon. colleague and myself to the Minister of Marine. It is the same case in regard to the International pier, where Capt. Lorway has been in the habit of transferring his duties there to Mr. Stirling, if I mistake not, who has been appointed on the recommendation of the manager of the mine, who was interested in the duties being conducted by a person who was in a position to suit the convenience of the shipping, so that it would not necessitate the shipmasters travelling two

miles in one case, and eight miles in another, in order to go to Sydney. Capt. Lorway is still port warden of Sydney, but not for these other places, because these other gentlemen have been appointed.

Mr. JONES. Then, what the Minister of Marine stated was correct in one part and not correct in another part. Mr. Lorway has been dismissed to the extent of not having the same jurisdiction as before. If the hon. gentleman thinks it was wrong that Capt. Lorway should have farmed out his office in the manner he has explained—upon which I offer no opinion, and in regard to which I am inclined to agree with him—that would place the Government in an awkward position in regard to the lighthouse keepers, who have, as I understand, farmed out their positions.

Agencies, rents and contingencies..... \$20,160

Mr. DAVIES (P.E.I.) Before this vote is granted, I desire to call the attention of the Minister to some curious items of expenditure which occur from time to time under the head of that remarkably elastic word "contingencies." It is a very curious and interesting study to take up the blue-book and go through the items of contingencies. They cover a multitude of sins. I had the curiosity the other day, just after an interesting debate in this House, in which the hon. gentleman from Queen's, N.S. (Mr. Freeman), whom I now see in his place, took a very leading and prominent part, to examine some of the items in the report of the Minister of Marine and Fisheries with reference to these contingencies; and, knowing the Minister to be an apostle of temperance principles, and not only to be a very consistent temperance man himself, but to be possessed with a strong mania for enforcing his principles on others—

Some hon. MEMBERS. Oh.

Mr. DAVIES (P.E.I.) Am I mis-stating the hon. gentleman's position? I have been here for four or five years, and I do the hon. gentleman the justice to say that I have heard him make speeches, sometimes very long speeches, endeavoring to prove that it is right and just that his peculiar ideas on the temperance question should be rigidly enforced upon all people in this Dominion.

Mr. FOSTER. Are they different from yours?

Mr. DAVIES (P.E.I.) That is not the question we are discussing now. We are coming to the question of how he applies his principles when he has the control of public moneys. Looking down the list of contingencies, I found the name of Thomas Furlong, a name which is not unfamiliar to many of us. My hon. friend from St. John has heard of him before. I saw opposite to the name of Mr. Furlong the word "supplies," and that is a word which is almost as elastic as "contingencies." On page 147 of the report of the Department of Marine and Fisheries, I found an amount of \$266.26 for supplies. No more information was given. I knew that Mr. Furlong was a gentleman who supplied a very excellent character of wine, good brandies and high-wines.

An hon. MEMBER. Dry wines?

Mr. DAVIES (P.E.I.) And dry wines too, and excellent beer. I pursued my enquiries a little further, and, as the Minister of Marine and Fisheries was so reticent in his report, I thought it wise to refer to the report of the Auditor General, where all these matters are given. I turned to that report and after a good deal of research I found the \$266.25 which the hon. gentleman had expended of the public moneys of this country, had gone for the purchase of brandy, wine and cigars. That will be found on page 358 of the Auditor General's report, I thought it must be some mistake, and I brought it to the attention of the hon. gentleman in order that he might rate the Auditor General for having, in his report, stated that the apostle of temperance in this country,

Mr. McDougall (Cape Breton):

as soon as he became Minister of Marine, had appropriated \$266 to purchase brandy and wine to destroy the morals of the men under his command. I am not quite sure whether I am correctly quoting the language used by the hon. member for Queen's, N. S. (Mr. Freeman), but if I understood him correctly the other day, he contended that any man who used wine, or who put wine to his neighbor's lips, was destroying the morals of that man; and he contended that no man could be a Christian who would countenance, openly or indirectly, this, what he was pleased to call, accursed traffic. Now, that hon. gentleman is one of the strongest supporters of the Minister of Marine and Fisheries who appropriates the public money of the people for the purpose of dealing in this accursed traffic, for the purpose of supplying the steamers under the Marine Department with brandy, wine and cigars—raising a storm at sea—

Mr. FOSTER. It was to calm a storm.

Mr. DAVIES (P.E.I.) Brandy, wine and cigars supplied by the Minister of Marine and Fisheries to the men and officers—I suppose it was for the officers, because if he was giving it to the men, it would have been ordinary grog. The only suggestion I have to make to the House is that it would be more in keeping with his own principles if he had paid for that wine and brandy out of his own pocket.

Mr. FOSTER. I never do that.

Mr. DAVIES (P.E.I.) He prefers to take it out of the pockets of the public. It is a matter on which people may differ. However, I would like the Minister to give some explanation to the House, and especially to his earnest and consistent supporter from Queen's, Nova Scotia.

Mr. FOSTER. My hon. friend was no doubt actuated by curiosity in looking over these items. But his course and his remarks resemble a good many of the attacks which have been made upon my temperance principles. His whole animus to-night has not been so much to condemn the waste of public money, as to point out that the gentleman whom he chooses to call the apostle of temperance, buys brandy, wine and cigars for the officers in his Department. I have nothing to say but this: that the Minister of Marine and Fisheries, as at present constituted, bought no wine, no brandy, and no cigars, and he does not intend to, with his own money or with public money. My hon. friend is merely quoting ancient history.

Mr. DAVIES (P.E.I.) The hon. gentleman has evidently explained this matter thoroughly to the satisfaction of his supporters. I beg leave to tell them that the quotation I gave is from the report of George E. Foster, Minister of Marine and Fisheries, that the expenditure is made under his administration and charged by him in the report submitted to this House.

Mr. FOSTER. My hon. friend ought to be honest enough to state that that report goes from the first of July, 1885, to the first July, 1886; that I took this office on the 10th December, 1885, and I assumed it about the middle of January, 1886.

Mr. DAVIES (P.E.I.) Do I understand the hon. gentleman to deny that the money was paid? Does he deny that I was correct in reading from his report, that it appears on the face of his report? There is no date, no explanation has been given at all yet. I want to know whether the money was spent in the purchase of wine, brandy or cigars. If the hon. gentleman thinks he closes the whole matter by stating that it was purchased before he took charge of the Department, he can say so, and disavow personal responsibility. His accusation that I was animated by animus is entirely uncalled for. It does not appear from the report when the liquors were purchased. Nobody could tell

whether they were purchased by the hon. gentleman personally, or by his orders.

Mr. FOSTER. If my hon. friend had merely stated that there appeared an item in the report of the Minister of Marine and Fisheries for 1886, a charge of \$266 for liquors that ought not to have been paid, and had asked an explanation, he would have been entirely within his province. But he did not do that. He took occasion to state, and to have his words placed in the *Hansard*, that this apostle of temperance who has been trying to enforce his opinions upon both sides of the House, has been guilty of an extreme inconsistency. Well, I leave the question of my consistency to the House on both sides of it. But when he asks if it is right that public money should be expended in this way, that is quite a different thing. If the hon. gentleman will stand up here and state that he is not prepared to take my word for it, I leave him to take that course if he pleases. If he wants an explicit denial, I give it to him now in plain English. I have never bought any intoxicating liquors of any kind since I have been Minister of Marine and Fisheries, nor have I allowed it to be bought for the use of the marine service.

Mr. DAVIES (P.E.I.) So far that is satisfactory, but the hon. gentleman has withheld the fact that he paid the bill since he came in himself.

Mr. FOSTER. The hon. gentleman does not admit the fact that he paid the bill since he came in.

Mr. DAVIES (P.E.I.) Does he deny it?

Mr. FOSTER. The hon. gentleman knows as well as I do that that account runs from 1st July, 1885, to 1st July, 1886, and I was not in the office until January, 1886. I want to ask my hon. friend now if he will do me the justice to state before this House and the country that he was wrong in charging me with inconsistency.

Mr. DAVIES (P.E.I.) If the hon. gentleman says that the bill was not paid since he took charge of the Department, very well.

Mr. WHITE (Cardwell). How could he help paying it?

Mr. DAVIES (P.E.I.) I want to know whether the hon. gentleman will deny that the bill was paid since he took charge of the Department. If he says it was not paid since he took charge, I am perfectly prepared to say that he is not open to any charge of inconsistency.

Mr. McLELAN. This bill was incurred during the time I had charge of the Department. It was paid by my order. It was incurred without my knowledge by some person connected with the *Lansdowne* at or about the time she was launched. We have some seven steamers in all running, and the agents at the different ports have strict orders not to furnish wines, brandies or liquors further than may be necessary in case of sickness, and as they may be prescribed. Some one connected with the *Lansdowne* at the time of the launching gave an order for liquors to Messrs. Furlong. The agents refused to pay the bill—that was in 1884. The bill stood till sometime in the summer or fall of 1885.

Mr. DAVIES (P.E.I.) After the hon. gentleman left the Department?

Mr. McLELAN. No, the bill had been sent there. The firm was continually pressing for payment. An error had been made by some officer connected with the Department in making such a purchase, and I thought that as those dealers had been kept out of their money so long, they should be paid, and I ordered the bill to be paid. It was impressed on the officers and all connected with the Department, that the orders of the Department had been violated in procuring wines and liquors. I ordered the bill to be paid. My successor I think knew nothing about it, either as to when it was contracted or when it was paid.

Some hon. MEMBERS. Withdraw.

Mr. DAVIES (P.E.I.) Withdraw what?

Some hon. MEMBERS. Your statement.

Mr. DAVIES (P.E.I.) I have already stated that if the hon. gentleman would state to this House that that bill was not paid since he took charge of the Department—

Some hon. MEMBERS. He has.

Mr. DAVIES (P.E.I.) He has not said so. He has said it was paid on the order of the ex-Minister—he does not say since he took charge of the Department.

Mr. BROWN. Withdraw.

Mr. DAVIES (P.E.I.) What does the hon. member for Hamilton mean? Does he not understand the meaning of the English language. My statement was quite sufficient. If this money which was paid under the ex-Minister of Marine by his orders—

Mr. McLELAN. It was paid by my order.

Mr. DAVIES,—and before he left the Department.

Mr. McLELAN. I was acting either as principal or Acting Minister, I do not know which, when I gave the order to close this up.

Mr. DAVIES (P.E.I.) I am quite aware that the hon. gentleman gave the order, if he gives his word that such is so. That is quite enough as regards the hon. gentleman.

Some hon. MEMBERS. Oh, oh.

Mr. DAVIES (P.E.I.) Hon. gentlemen opposite evidently approve of the whole of this expenditure. The cheers with which they greeted the statement that the account had been paid by the ex-Minister is sufficient evidence of that. There were two points we were considering: Whether this expenditure is justified, and whether the Minister of Marine is open to the charge of inconsistency for being a party to it. If he says he was not a party, then he is not open to the charges of inconsistency.

Mr. WHITE (Cardwell.) Why cannot you honestly withdraw it?

Sir RICHARD CARTWRIGHT. Because there is not the slightest occasion for the hon. gentleman doing so.

Mr. DAVIES (P.E.I.) I do not know what the hon. gentleman wants. I take up the estimate of the Minister of Marine, showing that \$266 were paid by his Department for brandy, wine and cigars. I make the charge that this is a queer item for an apostle of temperance. The hon. gentleman, the ex-Minister, then says that he paid the amount, and he is also a great apostle of temperance, and the inconsistency must therefore rest upon his shoulders. If that is so, the present Minister of Marine is free from it. But that does not clear the Department of the charge. Is it not equally as worthy of condemnation if this money was spent, and is not the Minister called upon to condemn it just as strongly, whether the amount was paid by his predecessor or not? Certainly it is; and it is all nonsense for hon. gentlemen to say that because the Minister of Marine has cleared his own skirts in the matter, therefore the expenditure is not in itself bad. It is bad and ought to be condemned.

Mr. WHITE (Cardwell). That is another question.

Mr. DAVIES (P.E.I.) It is the question we are discussing now. I still understand the ex-Minister of Marine to say that the account was paid by him after he ceased to be Minister of Marine.

Mr. McLELAN. I do not remember the date. I know I was in charge of the Department when I gave the order to have the bill paid. I disapproved of the expenditure, and the account was unpaid for more than a year after it

had been incurred. The agents refused to recognise the account, knowing their general instructions, and referred it to the Department, and I refused to pay it, and it finally stood for a year or eighteen months, when I ordered it to be paid.

Mr. MITCHELL. I think this is quite a tempest in a tea-pot. An amount of fuss has been made about this matter that it does not deserve. I do not think more of the two hon. gentlemen who have occupied the position of head of the Department because they have taken this ground, and have given orders not to allow any brandy, wines or cigars to be used on Government vessels. I recollect when I happened to occupy a position on the other side of the House, or, I believe, on the same side on which I am now, when my friends who are sitting here were sitting on the Government benches—I recollect that they attacked me because there was brandy, wine, champagne and cigars furnished to the steamers *Napoleon* and *Lady Head* during a period of seven years, when those vessels were used by the right hon. gentleman opposite, by myself, by the late Sir George Cartier, by the railway commissioners taking trips—in the public service—and those expenditures during eight or nine years were grouped together and made quite a large sum. I did then what I would do to-day if I were Minister of Marine. If I had a commodore, as the hon. gentleman has, in charge of a fleet of vessels, a gentleman who necessarily must be brought in contact with people of his own standing, connected with the American and British fleets, and who invited him on board their ships and extended hospitality to him, I would be perfectly ashamed if he could not provide himself with the necessary means of returning their civility. I must say that, perhaps, the hon. gentleman's temperance principles prevent him from carrying that out; but it is much more in accord with what is due to persons occupying those positions in command of vessels owned by the Government. They should be placed in such a position as to be able to return their hospitality, such as the admiral of the fleet, for the *Lansdowne* was, no doubt, the flag-ship.

Mr. FOSTER. The admiral agrees with me.

Mr. MITCHELL. I have had many a glass of wine with him. He might agree with you to your face, but I have no doubt behind your back he would say: "I wish we had a Minister who was not a temperance man." While I am not going to enter into any controversy and attack the temperance principles of the present Minister of Marine, I will say this: that I would deal with the public service as I would if on board my own ship. I would place commanders in the position to treat gentlemen occupying similar positions to those they occupy themselves, as is the custom all over the world, and give them a glass of wine when they visited my ship. I never found fault with officers on this account, and the service was not less satisfactorily performed than compared with to-day. I deprecate the idea of finding fault with the Minister because this item is in the estimates. The hon. member for Prince Edward Island (Mr. Davies) has forgotten—perhaps he was not here—how I was assailed on account of an accumulation of expenditures during several years for stores put on board the Government ships, not for my own use but for the use, as I said before, of the right hon. gentleman, the Premier, and occasionally of his colleagues, when they wanted a vessel to go down the river or to go to Cape Breton or Prince Edward Island as they often did. I was delighted to have it in my power to take the responsibility of placing everything on the vessel tending to the comfort and convenience of those gentlemen and their friends. I never shirked that responsibility, and I would like to see the fleet, or at all events the flag-ship and those vessels used in that way, when the Ministers

Mr. McLELLAN.

want to go and take a cruise around for the purpose of seeing the position of the country, or benefiting their health—I would like to see them fitted out in a way that would conduce to their comfort and happiness. For instance, if the Premier wanted to take a trip, would I like to see the vessel go off without a little champagne for him? Certainly not. I suppose the hon. gentleman would object to a little marmalade and jelly but I don't think the Minister of Marine and Fisheries would object to those articles, nor do I object to the other luxuries, and as there has been a sufficient explanation of the item, I think we should now let the matter drop. I would just say, however, to the hon. gentleman, let him shut his eyes and say to Capt. Scott: Do what is customary in the position in which you are, I will take the responsibility for infringing on my temperance principles; do what is necessary in order to treat as gentlemen the people who come on board; do not restrict your natural instinct as an old naval captain—

Mr. DAVIES (P.E.I.) An old salt.

Mr. MITCHELL. Yes; an old salt. I would tell him not to restrain those instincts altogether—and I know what are his natural instincts—but I would allow him to have a little of those luxuries that are expected by gentlemen in his own station when they go on board his vessel.

Mr. FREEMAN. I would not have attempted to occupy the time of the House only that I have been misrepresented, and I wish to correct that misrepresentation. The hon. gentleman representing Queen's, P.E.I. (Mr. Davies), has thought proper to attribute to me words I never used. I was going to say I was surprised at his doing so, but I am not greatly surprised, after listening to the manner in which he tries to blacken the character of the Minister of Marine, for that certainly was his object; and I never saw an attempt in a police court made more persistently to blacken a character than his attempt to-night. I did not say a man could not be a Christian if he drank liquor at all, I believe that the hon. gentleman passes for a Christian—I am told he does in his own county, on his own island—and also for a temperance man. I do not know how correct that is, but I am told so.

Mr. DAVIES (P.E.I.) I never—

Mr. FREEMAN. You do not pass for a temperance man. Then you pass for an apostle of the rum interest. You say that because I pass for a temperance man I am an apostle of temperance, and I presume, in the same way, the hon. gentleman is an apostle of the rum interest, and is quite willing to accept the position he has chosen for himself. But I wish to state distinctly that I did not say, nor do I believe or think, nor have I ever intimated, and I should be sorry to intimate, any such sentiment as that a man cannot be a Christian and take liquor. There was nothing in my speech to lead any person to state anything of that kind. I am sorry I touched the hon. gentleman by my vindicating, as I was privileged to do, the cause of prohibition. I am sorry to have touched him so keenly that he should call me into this debate. Was it so trying to him that I should say the Minister of Marine was a true temperance man? If I had been aware that that statement would touch him so keenly, I would not have made it; I hope he will forgive me for that, and he may preach his anti-temperance principles as much as he pleases. I will not trouble him in his apostleship. He can go on to any extent he pleases; I will not cross his path. But at all events he has undeceived me; I had a different opinion of him from what I had heard. I have not had the honor of the hon. gentleman's acquaintance, but it was reported to me that he was not only a Christian man but a temperance man in the county in which he lived. I presume his constituents will now be enlightened as to his position.

Maintenance and repairs to lights, fog whistles, buoys and beacons, and humane establishments, &c. \$323,000

Mr. PLATT. I wish to call the attention of the Minister to an important matter with regard to the rearrangement of the range lights at Weller's Bay. Two or three years ago representations were made to the Department to have the lights moved so as to afford proper protection to vessels entering the channel to Weller's Bay. Nothing has been done further than to send an engineer to that locality and have a survey made. I have not seen his report, but I was told by an official of the Department two years ago that the lights would be so arranged as to afford proper protection to mariners. It will take but a small amount of money and but very little time to accomplish what sailors think is very important, and I trust the Minister will make a note and see that this matter is attended to without delay, now that the sailing season is fully open and the dangerous season will soon approach. It has been said by those who were saved by the life-saving crew at that place two years ago, that had those lights been higher, and had they afforded a proper range, they might have succeeded in making the harbor without their vessel being wrecked. I trust the Minister will not allow the summer to pass without attending to this matter.

Mr. CAMPBELL (Kent). Under this head I would like to call the attention of the Minister of Marine to the great necessity for providing some facilities for helping vessels in distress along the shores of Lake Erie. Last year, I believe, a promise was made by the Government that they would establish a life-boat service along those harbors, but whether they intend to carry out that promise I do not know. I think that a life-boat would not be as serviceable as a wrecking tug, and I think a wrecking tug should be put upon that coast. Every year a great deal of property is destroyed by vessels being driven on the shore, and not a summer passes in which a great many lives are not lost. I trust the Minister of Marine will give his attention to this matter, especially as in the western part of Ontario there is not a dollar being spent for these purposes. We hear of thousands and hundreds of thousands of dollars being voted every night for Nova Scotia and New Brunswick. It is all right in its place if it is needed there; but they must recollect that there are other parts of this Dominion than Nova Scotia and New Brunswick. Not a year passes in which there are not thousands and tens of thousands of dollars worth of property lost, and valuable lives lost there, and if a wrecking tug were sent to ply along that coast, which would be available in case of storms to go to the relief of vessels in distress, it would be the means of saving a great deal of property and a great many valuable lives every year, and would, I believe, be self-sustaining. I think the matter is of sufficient importance to demand the attention of the Department, and I trust the Minister will give his attention to it.

Mr. JONES. This item embraces a very large expenditure. I gave some attention to this matter in the Committee on Public Accounts. I noticed in the report of the Minister of Marine large accounts for supplies of coal and other articles, and I had the accounts produced before the committee. Now, I am not prepared to say that the charges made for general supplies were exorbitant, because I am not in a position to express an opinion on that subject; but there was one charge there which attracted my attention. Having occasion to purchase a large quantity of coal for the use of steamers with which I am connected, I found that the Government were charged for coal at the rate of \$3.10 per ton, when we were purchasing coal from collieries of Nova Scotia at the same time at \$2.80, a difference of 30 cents per ton. The hon. gentleman stated before the Public Accounts Committee that the Government had invited

tenders from the various companies, and had accepted the lowest tender; but it appeared to me a very strange circumstance that private individuals could purchase coal for 30 cents a ton less than the Government. With reference to the accounts generally, I said then what I desire to repeat now, that there appears to be a looseness in the management of that Department which, to my mind as a business man, was very extraordinary indeed. A large number of accounts were brought down without a voucher or certificate from the storekeeper or the superintendent at Halifax of the goods having been received, and the prices having been regular. The hon. gentleman might say that the Department at Halifax who paid the accounts would know whether they were correct or not. To that extent he might be correct, but the hon. gentleman will admit that these accounts should have attached to them, like the accounts of the other Departments, a certificate from the proper officer that the goods were received, and that the prices were regular. There was a want of arrangement and method about those accounts which showed a lack of business capacity which was not very creditable to the head of the Department, and greatly in contrast to the accounts in the Railway Department, which I found all regularly kept and accompanied by the certificates of the storekeepers or superintendents that the goods had been received and the prices had been regular. On the part of all the officers of that Department there was an evidence of carefulness and supervision, which was lamentably wanting in the case of the Marine and Fisheries Department. One of the clerks of that Department also sent in an account for about \$120 a month, including truckage, labor and incidental expenses. That account should have been certified by the head of the Department. An account sent in in that way by a clerk of the Department is no voucher; he is not the man the public look to; we must look to the head of the Department there. And here I venture to suggest to the Minister of Marine that it would add much to the credit of his Department if the accounts were conducted in the same way as in the Railway Department, all the accounts certified by the officers on the spot, so that when called on by the Committee on Public Accounts, they could be presented in proper form. Certainly it would save the Minister a great deal of trouble, and it would be more businesslike in every way.

Mr. FOSTER. I may say, as I stated at the Public Accounts Committee that the coal was tendered for, and we took it at the lowest tender. Of course, we have to obtain tenders at the beginning of the season for our whole season's supply. We do not get a very large quantity of coal, but the fact remains that we got it by tender, and that we accepted the lowest tender.

Mr. WELDON (St. John). Is the work of repairing on the lighthouses done by tender?

Mr. FOSTER. Wherever it is possible to have plans and specifications, so that tenders can be taken, the work is done by tender. But the hon. gentleman will see that there are a great many repairs that cannot be done by tender. In such cases work is done under the supervision of our agent, who is responsible.

Mr. WELDON (St. John). In the Province of New Brunswick, iron work on these lighthouses, which could be done by tender, I find is done by one individual; and a very large amount of money is paid to this individual, who lives in St. John, for the repair of lighthouses all over the Province. It appears to me that if these works were let by tender, persons in the trade would be glad to tender for them, and a great deal of saving would be effected. I presume, if that were the case, my hon. friend would lose at St. John the valuable services of this individual, who took an active part in the elections, and distributed tickets entitling men to employment on the Intercolonial Railway.

Mr. JONES. The hon. the Minister says he received tenders for the coal. Well, it seems strange he could not buy coal on as favorable terms as private individuals. Of course, I accept his statement, but it appears to me there must be some consideration attached to it, that would make the mining companies charge the Government 30 cents per ton more than they would the public. The hon. gentleman says this is not very much, but it is sufficient to give rise to the reasonable suspicion that the same discrepancy would be found with general supplies. The hon. gentleman does not take tenders, I believe, for supplies for the steamers? One need only look over the accounts to see the same names recurring continually, and to find ground for the boasts made by parties from Halifax, who had the supplying of the public Departments, particularly Marine and Fisheries, that they made large sums of money from the Government during the past three years. I caution the hon. gentleman in this respect, because it is desirable that we should avoid a reputation of the Fraser-Reynolds scandal we had in Halifax a few years ago under the previous Administration.

Mr. FOSTER. My hon. friend has not shown a single instance in which market prices have been exceeded. He has given a good deal of advice in repeated doses, but he has not shown an instance of the rates being higher than the market rates.

Mr. JONES. I did.

Mr. FOSTER. The hon. gentleman mentioned coal; but the Department called for tenders, and accepted the lowest tender. The hon. gentleman may not find it difficult to explain how it is he has got coal cheaper. There may have been a difference in the coal, or in the place of delivery, or in some other respects.

Mr. ROBERTSON (Shelburne). I wish to point out to the Minister that in all the repairs made to lighthouses in Shelburne county, the carpenters are sent from Halifax and their travelling expenses paid, when just as good men could be found in the county to do the work. I desire to draw attention to the fact that Shelburne light is not now in the condition in which it should be. I do not know whether the fault is in the lantern or in the keeper, but seafaring men have desired me to draw the attention of the Minister to the matter. I would also ask, what is the intention of the Department with regard to placing an automatic buoy at Lockeport?

Mr. FOSTER. No provision has been made for that so far.

Mr. ROBERTSON (Shelburne). As far back as 1881, I directed the attention of the Department to this, and forwarded to it a petition numerously signed by the residents of the county, and by leading merchants in Halifax interested in the trade of Lockeport—a petition asking that an automatic buoy be placed there. The Minister of Public Works in 1882, who was then putting through the estimates of Marine and Fisheries, said he would take the matter under consideration. Again, in 1884, the Postmaster General, who was then Minister of Marine and Fisheries, said he would consider the matter. This port is one of the most important outside of Lunenburg, in western Nova Scotia. It is frequented by a large number of fishing vessels, schooners and brigs, and I trust that, after these repeated promises to take this subject into consideration, the Government will find means to meet the wishes of the people of that county. Just now, I may say, it will be to the advantage of the Government to have a buoy placed there, as a bye-election will shortly take place there, and the Government might benefit by this work.

Mr. BRIEN. I agree with all that has been said by the hon. member for Kent, with regard to putting a wrecking
Mr. WELDON.

tug in that portion of the western part of Canada. I am glad that Ontario is heard from once in a while, for, during the last four weeks, having listened to the eloquent dissertations from the members of other Provinces, I began to fear that the people would think Ontario had gone out of the Confederation altogether. The Chairman will pardon me if I depart somewhat from the main point of the discussion, and draw the attention to the Minister of Public Works to the petition from the people of Pelee Island, asking that that island may be connected with the mainland by means of a cable. It is important that a life-saving station should be established there, as many wrecks occur in that vicinity.

Mr. FOSTER. A life-saving station has been established at Pelee Island.

Mr. BRIEN. A lighthouse should be established in connection with it, not only on account of the wrecks that take place, but also on account of the great disadvantage to the inhabitants in reaching the shore, and communicating the news of any disaster, so as to get assistance. This district, I may add, did good service for my opponent in the last campaign, and he stated distinctly that he had the promise of the Minister of Public Works, that an amount would be placed in the Estimates this year for making that cable. This has not been done. I thought, until the Supplementary Estimates were brought down, that the amount would be placed in them, but the county which I represent returned a Liberal instead of a supporter of the Government; still, I thought it was in accordance with the policy of the Government, as announced the other night,—that where a Liberal was returned they would consult their own friends, and I thought I would allow them to consult their friends, and, if we can get a cable, I would be more satisfied no matter at whose suggestion. This matter is of great importance. I think it has been represented to the Government already. The Americans have three islands there, and I have it on good authority that, if the Government will connect Pelee Island with the mainland in South Essex, the Americans will carry the cable on to their mainland. The island is one of the richest in Canada. It has almost a monopoly of grape growing, and a trade of great importance could be established there. The Ministry have constantly stated that it is their desire to foster and protect native industries and prevent their going to the other side, but at present the connection of that island is better with the American side than with the Canadian, as the boats arrive there more frequently, and the consequence is that the greater part of the trade goes to the United States. It is one of the best wine producing countries, but it suffers from a great disadvantage, owing to its isolated position, not having proper communication with the mainland. The principal production is that of fruit of a perishable character, and competition, by means of telegraph, would enable them to market their fruit more readily, in the fact that almost all the productions of the island are grapes. It is well adapted for that sort of trade. It would be a good investment for anyone to go there now, as the property is valuable. If they had communication, they would be enabled to make their market at a proper time. During the winter season, however, they are practically shut off from the rest of the world, but if they had telegraphic communication they could transact business which they cannot do now. Many lives have been lost in trying to reach the shore. That has happened on many occasions, and, though the Government has decided not to place a cable this year, I hope they will give the matter their earnest and serious consideration, and will also establish a lighthouse upon the island, which would be of great advantage to the people, not only of that section of country, but of the Dominion of Canada.

Mr. HESSON. Order.

Mr. BRIEN. Less noise and better manners would be more proper. I do not desire to delay the House. I am as

anxious as any other man to get home, but I think south Essex should be heard from as well as any other constituency, and these frequent interruptions are very objectionable. There seems to be a disposition on the part of hon. gentlemen opposite to prevent junior members of the House from being listened to. If parliamentary experience causes a man to forget to extend that courtesy which is due even to a political opponent, then, I hope my parliamentary experience may be short. The result of that will be that they will cease to exercise the courtesy which should be exercised towards a political opponent, and, for my part, if hon. gentlemen will not show good manners, I hope my political career will be short. I trust that the Government will give this matter their very serious consideration, and that they will fulfil in this case, as they have in many cases, their pre-election promises.

Mr. ROBERTSON (Shelburne). I desire to call attention to the manner in which the buoy service is carried out. These buoys are placed under the care of the harbor masters, and in many cases a large sum of money is paid out, and the work is inefficiently performed. I have directed the attention of the Deputy Minister to the condition of the buoys in some parts of the county I represent. I presume the Department will make some enquiry into that matter. I believe it would be to the advantage of the service if it were placed under the inspector of lighthouses or some other competent person. There is a dangerous ledge at Seal Island, opposite the waters of Shelburne county, which is known as Blonde Rock, and the buoy has been off for six months, and perhaps longer. It is said that the buoy breaks away. What can you expect? The Department sends down a steamer, and places the buoy. They never look at the buoy or sight the chain until it breaks away. They should do what they do on the American coast. These buoys should be sighted every three months, or at least every six months. That is the only way in which they can be kept in place. I trust the Minister will make some enquiry into this. Then, again, there is the harbor of Lockport, which is one of the most difficult harbors for entrance—that is the inner harbor—and last year the Department expended \$6 for the purpose of looking after the buoys. I have directed the attention of the Department to this, and the harbor master tells me that he has done so also. I went to the Department the other day, and asked for the report of the harbor master, but no such report could be found. He gets a salary of \$200 for this purpose, and he sits in his office and acts as a bank agent, and he is not in a position to look after a work like this. Six or seven buoys are required there, and for some years I have been trying to get something done, but, of course, I am on the Opposition side of the House, and that seems to have some weight. I do not come here to support the general policy of the Government, but I come to represent my constituency and its interests; and, in a matter affecting the people of Shelburne county, I wish to see their interests attended to. It has been stated that, in regard to such matters as this, they would receive attention. I trust that these proposals will be adopted by the Minister. I have had no personal intercourse with him, but I have directed the attention of the Department to the matter in other ways.

Mr. FOSTER. If I am correctly informed, the harbor master has met and effectually disposed of the objections which the hon. gentleman has made.

Mr. MILLS (Bothwell). Some time ago I sent to the Minister a petition, signed by parties who were interested in the navigation of the Sydenham River, which is in my constituency; and as to the importance of a lighthouse being erected at the entrance of the river. The hon. gentleman knows that the trade of the port in that river is one of the most extensive in the Dominion. I received from the hon. gentleman's deputy a letter informing me, first, that enquiry would be made by certain parties and

further information would be required as to what action the Government would take, but a second letter was sent to me stating that some captain who had forty odd years' service had reported that a lighthouse or a range light was unnecessary at that point. The petitioners are all parties who are more or less interested in the navigation there. Capt. Ribble, whose name is at the head of the petition, for twenty years has every week during the season of navigation sailed in and out at that point, and he has had probably more experience in a single year than the party the hon. gentleman consulted has had in his life. And that is true of other parties. If the hon. gentleman were to consult those people who frequent that river, they would tell him that vessels are often obliged to lie at the mouth of the river and wait for daylight before they can venture to enter. Then there is the Custom house officer, who is a friend and zealous supporter of the hon. gentleman, Mr. Fraser, of Wallaceburg. If the Minister would consult him, he could give him information of value, but, because a man has been a captain on the lake for many years, it does not follow that he would be able to give any reliable information. I am sure that none of those parties who signed this petition have another interest than that which arises from the advantages to navigation. They would not have asked for this improvement if experience had not pointed out that it would be advantageous.

Completion and construction of lighthouses and fog alarms \$40,000

Mr. WELDON (St. John). I wish to call the attention of the Minister of Marine to the fog alarm at Quaco. Some years ago I called the attention of the Department to the situation of the lighthouse there. Since the light has been taken off there and put on the highlands, several wrecks have occurred, and the last one was accompanied with a melancholy loss of life. Last year, when tenders were put out for a fog alarm, I asked whether it would be built on the reef instead of the mainland. I understood the Minister then assured my colleague and myself that it would be put on the reef. I am told that the present fog alarm is of very little use where it is placed, and I am surprised now to find that it is being placed on the reef.

Mr. FOSTER. My hon. friend is mistaken in saying that I stated that it would be put upon the reef. Though I did not state that, I think some members in the House did say so when the question was asked if it would be placed on the reef. But it was not to be put on the reef. It would be difficult to have a fog alarm on the reef because there is no supply of water. I think if either of the buildings were to be differently placed, the light should be upon the reef, rather than upon the mainland. The light is now upon the mainland, and we have supplemented it by a fog alarm.

Mr. KIRK. I think it has been customary for the Minister to place in the hands of members a list of the lighthouses intended to be built during the year.

Mr. FOSTER. I will lay it on the Table.

Mr. KIRK. A number of years ago a petition came from the county of Guysboro' asking for a lighthouse on a certain island there. This petition was reported upon favorably by the officers of the Government, and the Government decided to build a lighthouse there. The fact was made known in the list which was placed in the hands of members, that the lighthouse was to be built on Goose Island, in the county of Guysboro'. It was not built, however, as promised, and the next year I asked the then Minister of Marine why the lighthouse was not built according to the vote which was passed. He answered me by saying that the parties who owned the land were asking for it more than the Government were willing to pay, and that they intended to take steps to expropriate the land and build the lighthouse; but it has not yet been built. Does the Minister intend to build it this year?

Mr. FOSTER. The land has not been secured, and it is not the intention to build this year. There is some difficulty about the title.

Mr. ROBERTSON (Shelburne). I would like to ask the Minister what he proposes to do towards replacing the lightship at Barrington in my county? The repairs that have been put upon it are simply trifling.

Mr. FOSTER. The repairs have been slight for a purpose, because we do not intend to utilise it except for this season. Tenders have been called for and a new lightship will be put upon the station.

Mr. ROBERTSON (Shelburne). I would like to ask if the erection of a lighthouse on West Head, Barrington Harbor, comes out of this \$40,000.

Mr. FOSTER. Yes, it does.

Mr. ROBERTSON (Shelburne.) The answer which was given the other night across the House was quite satisfactory to myself. Of course, I know that the distinguished gentleman whom I had the honor of defeating the last election, had nothing to do in recommending it; though, upon the face of the answer made by the Minister, it might be supposed that nothing had been heard of this West Head light until it was brought to the attention of the Department by a Major General and his (the Minister's) officers. I desire to state, that in 1881, a petition was presented to the Department for this light, and that petition was signed by the master mariners, the shipowners, and by people who know something about the locality. But these gentlemen had no weight or influence with the hon. gentleman's predecessor, and it was left for a gentleman who, by accident, happened to be a political supporter of the present Government, to bring this to the attention of the Department. In 1882, Sir Hector Langevin, then Acting Minister of Marine, told me he had this light under consideration, that his officers had reported favorably upon it. The present Postmaster General told me, in 1884, that he intended to visit the western section of Nova Scotia, and examine this place, and if he found that the statements in the petition were correct, the lighthouse would be built. Now, it seems that because Major General Laurie saw fit to recommend or urge upon the Department this light, it is proposed to be placed there in the public interest. I am glad to have the light placed there, and I am glad to have the assistance of any person possessing influence with the Department. I have done my duty in pressing the wants and claims of the constituency I represent on the various Ministers who have presided over the Department, and I must say that from them I have obtained very little satisfaction. But two or three Ministers have treated me very courteously, and I will say that the Minister of Agriculture, when Postmaster General, treated me, although a political opponent, as a gentleman; he listened to my representation and complaints, and, as far as possible, endeavoured to remove them. I do not expect to obtain the patronage of the county—I do not want it; but fair representations of matters of public interest and matters of necessity should be attended to, no matter from whatever source they come. In regard to the Minister of Customs, whenever I have visited the Department, he has always treated me as one gentleman should treat another. He has not always complied with my requests, but he has gone as far as possible, perhaps, in that direction. I am glad the Ministers are beginning to take some little interest in the county of Shelburne. A bye-election is approaching, and I shall be opposed no doubt. I hope the Minister of Finance will take a hand in the election contest. He went down to the county in 1878 to drive me out of public life, which I had just entered. I hope that, as he takes an interest in Major General Laurie, he will do something for Shelburne. The wants of the county are many. Situated as it on the south-west shore

Mr. KIRK.

of Nova Scotia, on a rocky and dangerous coast, the wants of the constituency, especially such as come under the Department of Marine are not so much those of my own constituents as those of the marine of Canada and of the world, and I hope and trust that the present Minister, now that he is acquainted with the duties of his office, will give all these matters attention, and when he really knows what our wants are he will attend to them. With respect to the request for buoys at Lockeport, if it has been complied with, it has been done very recently. The hon. gentleman made no answer to my remarks in regard to a buoy on Blonde Rock light, which is a very important point, and on the route of the steamers from Yarmouth to Halifax. A buoy should be placed there. The fact that a buoy has not been on that rock for eight or nine months shows negligence on the part of the Department. If the Government do not look after my county with the object primarily of meeting its wants and necessities, they may do so to assist themselves politically.

Meteorological Observatories..... \$61,250

Mr. FOSTER. This is an increase of \$5,000, rendered necessary by the proposed establishment of some additional stations in the Rocky Mountains and British Columbia.

Sir RICHARD CARTWRIGHT. How far north are the stations at present?

Mr. FOSTER. We have one station on James' Bay. Generally we have stations no farther north than the line of the Canadian Pacific Railway, but we wish to establish new stations in the Rocky Mountains and British Columbia, and the increased expense explains the larger vote.

Mr. JONES. What is the experience of the Department in regard to these signal stations. Are they generally found valuable?

Mr. FOSTER. The report of the Marine Department contains a full explanation in regard to them. I think I had better refer the hon. gentleman to that. He will see all about the probabilities and how they have been verified.

Marine Hospitals..... \$56,000

Sir RICHARD CARTWRIGHT. Some particulars are wanted on this item.

Mr. FOSTER. The details are fully given in the report of the Marine Department, each one of the hospitals and all the items of expenditure in reference to it.

Steamboat Inspection... \$25,000

Mr. EDGAR. In connection with that grant there is a matter that has been brought before the notice of the Minister before now. In 1885, the attention of the hon. gentleman acting as Minister of Marine was directed to the fact that while engineers may obtain certificates to act upon Canadian steamers, whether they are British subjects or not, there is a provision in the American Inspection Act which prevents any but American citizens obtaining certificates and acting as engineers on their steamboats. That is a very unreasonable condition of the law. I remember the hon. member for Colchester (Mr. McLelan), who was then Acting Minister of Marine, said that now the matter had been brought to his attention the Government would look into it, and they would see if they could not alter the law so as to place our people on the same footing as the Americans. The result is that Americans come here, and are able to get certificates just as easy as our citizens. I have a copy of the American law. It provides that none but citizens of the United States and those who have permanently resided there for six months prior to the granting of the license, may be licensed as engineers. The Dominion Government, who have prided themselves on the National Policy protecting the interests of Canada, should look after this matter, and it is one which is very considerably felt by the engineers in the frontier towns. There are plenty of Can-

adian engineers to do the work, but they find Americans come in and have equal rights with them in regard to passing examinations and obtaining certificates.

Mr. FOSTER. I will take a note of what the hon. gentleman says. There are two sides to this question. This has been the practice of the Department under both Governments. It is quite possible it should be changed; it might be changed perhaps with advantage.

Mr. EDGAR. It is the law under the Steamboat Inspection Act, and that Act will have to be altered. It is perfectly clear that Canadians are at a great disadvantage along the lake shores.

Sir RICHARD CARTWRIGHT. What was the revenue derived?

Mr. FOSTER. We expended over and above the revenue about \$15,000. Taking all the years together the return shows a small surplus.

Salaries and disbursements of Fishery Overseers and Wardens \$249,500

Mr. KIRK. I wish to ask the Minister whether the fishway which was erected at Fisher's Dam, in Guysboro' county, has been placed in such a position that the fish may ascend. It got out of order and was in such a condition that when the water was allowed to come into the dam it did not keep its place. I think there has been a good deal of carelessness in the building of the fishway, and I would like to know whether it has been repaired.

Mr. FOSTER. I will get the information for the hon. gentleman.

Mr. JONES. I hope the Government will see that their overseers will carry out the regulations of the Department strictly. I know that considerable improvement has been made, notably in Nova Scotia, with regard to the obstructions which have existed and the regulations which have been made under successive Governments, but still there is a considerable amount of inattention by these overseers, and, in many cases, fish which were formerly abundant in streams are rapidly being driven out of them. Then, with regard to these fish-breeding establishments, though I do not find fault with the expenditure, I would like to know whether the result has, on the whole, been as satisfactory as was contemplated when these establishments were started. With regard to the fish-breeding establishment near Halifax, which was built during the time I was in the Government, I am told by a number of people in the neighborhood that up to the present time no apparent advantages have been realised from it, although a large number of young salmon have been distributed in the neighborhood. Then, as to fishways, I am informed that there is a good deal of complaint on the various rivers regarding them. I believe the Government have been issuing a patent fishway, patented by one of their own officers, Mr. Rogers, and those who use the fishway have to pay for his right under the patent. Now, while expressing no opinion as to the merits of this patent, would it not be better for the Government to buy it out if it is as valuable as it is represented, as in that event they would be able to use it more frequently than they are now using it, because it is stated that Mr. Rogers says he is unwilling to recommend it in many cases, simply because he is interested in it himself. I think it would be in the interest of that branch of the service if the Government would acquire the patent rights, if the patent is as valuable as reported. Then, it is stated that Mr. Rogers has not been in the Province of Nova Scotia, and notably on the south shore, as much as those people who are interested think he should be. I am told that he spent a good deal of the earlier part of the season, which is a very important time for that service, in the United States attending to his own business in connection with this patent.

Mr. FOSTER. The hon. gentleman asked a question with reference to whether fish-breeding had proved successful or not. Without taking up the time of the House, I think it would be well to refer him to the departmental report of 1884, in which Mr. Wilmot deals especially with that subject, and collates the results so far obtained. I would also refer him to the report of 1886.

Mr. MILLS (Bothwell). Mr. Witcher had contrary views.

Mr. FOSTER. I think the hon. gentleman will find in those reports that fish-breeding has been productive of good results.

Mr. JONES. The reports of the hon. gentleman's Department have been presented so late in the Session that, with so many other duties to attend to, I have not been able to give to them that attention which they deserve, and that is the reason I asked the question. I know the hon. gentleman has made explanations with regard to the matter, but it is unfortunate that his report should be so late in being brought down.

Mr. MITCHELL. I intended to put a similar question to the Minister to that which has just been asked by the senior member for Halifax, as it is a subject in which I take a great deal of interest. I believe I was the means of inducing the Government to assume the responsibility of taking up what some of them thought was a fad—and some of them were kind enough to tell me so—in trying this experiment. I have heard so many people say that it was a mistake, that, though I still believe I was right, I am beginning to have doubts whether I was right or not. I have suggested that the hon. gentleman should make a specialty of making a proper enquiry into the results of the numerous hatcheries established in various parts of the country—I believe about twelve in all. I notice that the amounts of money vary considerably from \$1,100 or \$1,200 a year, up to something like \$5,000 or \$6,000, for the expense of the different hatcheries. I do not know why there should be such a variation. Some of the hatcheries may be larger than others, but I think that after some fifteen or sixteen years of experimenting we ought to be able to tell whether those hatcheries are really of benefit or not. One thing that shook my confidence in them was the change of opinion on the part of Mr. Witcher, for whose opinion I have great respect. Whenever I could get the opportunity I visited those hatcheries. They certainly produce fish in hundreds of thousands up to a certain stage; but it appears to me that there is something about the operation that we do not quite understand. Sending out these infant fish is very much like turning out babies three months old to forage for themselves. It is true, nature provides them with natural food that keeps them in existence for nine or ten days. The question is whether we should not keep these young fish in the ponds of the establishment and feed them for a time as is done in the United State. I think it is a matter worthy of enquiry by my hon. friend, whether the expenditure on these fisheries is of real benefit or not, or whether there are some things in the operation we do not understand. I throw out that suggestion in good faith, and in a friendly spirit.

Mr. DAVIES (P.E.I.). Like my hon. friend, I have not had the advantage of reading the report of the gentlemen in charge of the hatcheries this year. But in all previous years I have followed those reports very closely, and judging from them and my own observations I have come to the conclusion that it is very doubtful whether our experiment is a success or not. In the Province of Prince Edward Island we have a hatchery which is very well attended to, and millions of those little fish are deposited in the rivers every year; but I never heard anybody yet who was able to say that there was any appreciable increase in the quantity of

fish in the rivers where those young fry were placed. This is a question one does not like to express an opinion upon. It is a very important experiment which we hope may be successful, and I am inclined to believe with my hon. friend that there is something about the system that we have not yet discovered and that we do not understand. We have been accustomed to depend very much on Mr. Wilmot, who is a very experienced man; but I am inclined to think that possibly these specialists may mislead even themselves. Practical men who have given a good deal of thought to this subject, and whose observations are worth a good deal, do not coincide with his conclusions. I think the Minister would do the public a service by making a special examination of this subject during the coming year when he goes around, as I understand he intends to do, to the different Provinces where hatcheries exist, and determine in his own mind whether the results are at all commensurate with the expenditure we are making.

Mr. MITCHELL. I would not have it go forth that I had ceased to have faith in the system. That is not the case, but I think there is something in it that our specialists and the gentlemen in charge of the establishments have failed yet to comprehend. I believe it is—I merely give it as my opinion—that the fish are sent out too young, and that they should be kept for a year and artificially fed before being sent out; and then, when they are put out, they will be able to defend themselves against the rapacious fish which are likely to attack them.

Mr. BURNS. For the information of the committee I may state that in the constituency I represent the opinion is very favorable as to the results of the deposit of fry in rivers there. Persons who resort to that river, and who give matters of this kind a great deal of attention, have informed me that the supply in the river has been very largely increased since fish fry have been placed there. The other day a gentleman who visits the river every year, strongly urged that the Department this year should again place some fry in it, because, as he said that it is quite apparent that good results had followed from those which had been placed there before. No doubt a good deal depends on the kind of bottom in the river. With regard to the remarks made by the hon. member for Queen's (Mr. Davies) as to the absence of results from those placed in the river in his constituency, if I understand rightly the rivers in the Province of Prince Edward Island are not, generally speaking, what are called natural salmon rivers. I think what I have said with regard to the rivers in Gloucester may be said of those in Restigouche. There I think the general opinion is that the deposit of the fry has been productive of good. While I have no practical knowledge of this subject myself, I speak from what I have heard from others, and I am satisfied that this is a wise expenditure.

Mr. KIRK. I notice that the Government have a vote of \$2,000 to provide for the expense of a commission to enquire into and report upon the lobster and oyster fisheries. Would it not be advisable for this commission to enquire at the same time into the question of the fish hatcheries? With regard to them, my impression is that the amount expended is not very well expended, and that the money would be better expended in improving the fisheries in another way. It is only rivers which have been entirely fished out, into which it is necessary to put fry. In rivers which the salmon and trout naturally ascend, it is only necessary to protect them. I do not care how few go up, if they are properly protected, there will be plenty very soon. It is only necessary to protect them. First, clean out the rivers; give the fish an opportunity to ascend to their spawning grounds, and then protect them, and you will very soon have the rivers overflowing with fish. There are rivers in Nova Scotia it would require but a small sum to clean out; and there are other rivers in which it is necessary

Mr. DAVIES (P.E.I.)

to erect fishways, where the dams are across the rivers. In my county the fishery overseer reports obstructions in two cases, and I hope the Minister will, by the expenditure of a small amount, have Indian Harbor and Country Harbor rivers cleaned out. There ought to be a fishery warden or some one appointed to look after the Indian Harbor River every spring, and this would not cost the Government more than \$20 a year.

Mr. PATERSON (Brant). How are these fish distributed? I had a request from my constituency, and I was told if I applied to the hatchery I would get some trout. I went there and was kindly received, and every effort was made to oblige me, but I was told I had come too late. On what system are the fish distributed?

Mr. FOSTER. With reference to the general distribution of fish, that is done upon the report of Mr. Wilmot, after consultation with the overseers, as to what are the most suitable waters for the fish. Of course, when parties apply, their applications are considered in the general distribution. 76,000,000 fry were distributed last year. With reference to speckled trout, we have had a very small number, for they are rather a fancy than a commercial fish. We have never gone to much trouble in procuring these. They are difficult fish to procure and we generally give them to clubs or associations who protect the streams.

Mr. MALLORY. With regard to speckled trout, I fear that these fry are sent out when too young. In the section of the country I come from a great number of the fry have been put in the trout streams, but the experiment has not been as favorable as I would like. I fear that in many of the streams lumbermen and those who have small mills are not careful to keep the sawdust out of the streams.

Mr. PLATT. Will the Minister state to what extent the Department has yielded or proposes to yield jurisdiction over the inland waters? How far do they consider riparian rights obtain in the Provinces?

Mr. FOSTER. That introduces a subject which might lead to a pretty wide discussion. So far as possible we endeavor to keep from giving licenses to fish in the smaller inland waters. We exercise the right of saying what should be the modes of fishing, and the close season. Correspondence is now going on between the Ontario Government and this Government with reference to this matter. It is important that some agreement should be arrived at, and thus prevent clashing of jurisdiction of the two sets of officers.

Mr. MITCHELL. It will be well, in order to put a stop to this doubt in relation to the fisheries, to consider whether the Dominion Government should not take upon itself, by arrangements with the several Provinces, to take over these rights, because the people will some day or other object to paying money out of the Dominion revenue to protect the rivers in the Provinces.

Mr. O'BRIEN. I join with the hon. member for Northumberland in saying that this is a matter of serious importance. The hon. gentleman's suggestion is a valuable one, and the idea is largely entertained that it is advisable for the fisheries to be under the one control; and the only way for us to obtain that control would be by the Dominion Government acquiring the provincial rights.

Mr. DAWSON. In connection with the inland fisheries, I may draw the attention of the Minister to one point. In the inland lakes, the Indians were secured in their treaty rights, and given the right to fish, as they had been accustomed to do. I may call the attention of the House to one treaty by which the Indians of the country to the west of the Height of Land on Rainy River, and in the neighborhood of the Lake of the Woods, relinquished their lands, but reserved their right to fish in the rivers and lakes of the district they occupied. Now, licenses have

been issued by the Department of Marine to people to catch fish in the Lake of the Woods. They go there with all their improved appliances—pound nets, seine nets, and all sorts of things which were never heard of at the time these treaties were made. They scoop the fish out of these lakes. They sweep off the food supply of the Indians, and the question arises is that keeping up the spirit of the treaty which was made with the Indians? They were allowed the right to fish in the waters of the territory they relinquished, and yet we, by giving out licenses to fish in these lakes, render that privilege absolutely valueless, because, with these improved appliances, which were never dreamed of in those times, people go and absolutely destroy the fish; they sweep them out completely with these pound nets, and nets of all kinds. I say it is not fair to these people with whom we make treaties. It would make no great difference after the country was settled, but until they have become practiced in agriculture we are depriving them of their food supply, and leaving them to apply for assistance to the Government, when they could support themselves very well if their treaty rights in regard to the fisheries were preserved inviolate.

Mr. MILLS (Bothwell). I do not understand that the Government can make any claim for fish and fisheries within the limit of a Province where the proprietary interest in the soil is in the Crown represented by the Province. The rule in England, which is recognised by the Supreme Court here, is that the ordinary proprietor of the soil is the proprietor of all the fish running through his property, and a Province which is proprietor of the soil would have as great a right to those fish as any private individual similarly situated. I do not understand that the Government claim to grant licenses to fish in the waters of the Province where the proprietary right would be in the Province. They might, of course, make laws regulating the catch, but they could not interfere with the proprietary right of the Province, and I was not aware that any such claim had been put forward or that there was any dispute in regard to the matter.

Mr. JONES. What is this vote of \$1,500 for the Canadian fisheries exhibit intended for?

Mr. FOSTER. That is for the exhibit which is now in Ottawa. It was at the exhibition in England last year and has been returned, and now we keep it here.

Sir RICHARD CARTWRIGHT. In regard to this vote of \$6,000 for services performed by persons in the Customs and Fisheries Departments, and other expenses in connection with the distribution of the fishing bounty and collection of statistics, I think the Committee on Public Accounts some time ago requested that an audit should be made in connection with that. That was agreed to be done but it has never been done.

Mr. MITCHELL. There is no doubt that the amount of work involved in paying these bounties is very great, especially when it is added to the ordinary work of the Departments. Whether the amount which is asked is necessary or not I do not know, but I am satisfied that these gentlemen should be paid for the extra work they do.

Mr. FOSTER. All the extra clerks who are engaged in that matter are kept very busy. The accounts have to go through a good many hands and to be carefully examined, and they require a great deal of work.

Mr. JONES. Where is this production of cod liver oil and fish guano carried on?

Mr. FOSTER. That amount of \$4,000 is a revote.

Mr. KIRK. Was nothing paid last year?

Mr. FOSTER. Nothing.

Mr. MILLS (Bothwell). Then why should it be kept up? It was regarded on this side of the House, when it

was introduced, as a very objectionable vote. It was a proposition to grant a bounty to parties who were doing very well under the law as it was, and I did not see any ground upon which this bounty should be given to them any more than we should grant a bounty to farmers to raise wheat.

Mr. JONES. This is an article of commerce, like cod oil or whale oil, and so on, and I do not see why this bounty should be given.

Mr. MALLORY. I do not see why we should give a bounty to enable people to produce cod liver oil in this country. It is an article of general consumption, and is produced for the open market. It seems exceedingly strange that we should be asked to give a bounty of this kind.

Mr. BURNS. This was asked for at the instance of a deputation composed of the representatives of the cod fishing constituencies. It was urged that it was very desirable that the amount of offal which is now going to waste should be utilised by conversion into guano, and also that, instead of importing the cod liver oil which is now used in the country, it could be refined from the cod oil which is so largely obtained from the fisheries. Although no factories have been established yet, there is a probability of this vote leading to such establishments. I think it is very desirable that this vote should pass, as a large industry may grow from it. To-day we have not in the Dominion an establishment of that kind.

Mr. MITCHELL. Pass it for another year, under the understanding that, if it is not begun by that time, we will drop it next year.

Mr. DAVIES (P.E.I.) To provide for the expenses of a commission to enquire and report upon the lobster fishery, \$2,000—has the hon. gentleman chosen the commission?

Mr. FOSTER. I have not yet. I shall try to get the most suitable men to represent the different interests.

Mr. DAVIES (P.E.I.) It is desirable that some man should be got to visit the scene who would not be himself interested in the recommendations he has to make.

Mr. FOSTER. The intention is to have three men on this commission. Whilst, of course, their views may be colored according to their interests, it will be well to have the different interests represented on this commission.

Mr. MITCHELL. I think it would be well to get some scientific and practical information in reference to the oyster and lobster fisheries. We ought to have from Baltimore or Maryland some one connected with the oyster fisheries, who is a scientific and practical man, to examine the deposits along our coasts and report upon the subject. I think it would pay us well to do it. Our oyster fisheries are going to ruin and waste as they are now cultivated.

Mr. DAVIES (P.E.I.) The planting and drawing of oysters is much better understood than lobster fishing. The late Hon. Judge Pope, of Prince Edward Island, planted a very large bed of oysters, and the system he adopted has been most successful. There is no difficulty about making an oyster fishery successful; a little knowledge and care of fish will enable one to do that, and I am sure the Department will be able to get proper information on the oyster fishery without resorting to scientific men from the States. But on the subject of lobster fishery there will be more difficulty. I have never yet been able to get many of the lobster men to agree when the season should be called close, and when open. Those on the south side of the island have one view, and those on the north side another view. What we need to understand about that fish is where it comes from, where it goes to, and what its habits are.

Mr. MARA. Is it intended that the commission shall confine the enquiry to the Atlantic coast, or will it be extended to the Pacific coast.

Mr. FOSTER. The commission with reference to the lobster and oyster fishery will not be extended to the Pacific coast. We are going to attempt this year an experiment in lobster planting on the Pacific coast.

Mr. MILLS (Annapolis). I would like to call the attention of the Minister to the lobster fishery on the Bay of Fundy coast. There has been some complaint on the part of some fishermen on that coast with reference to lobster fishing driving away the herrings. Some fishermen state that the traps, or the rope with which the traps are bound, have a tendency to drive away the herrings. The herrings are scarce where these lobster fisheries are. Some experienced men in that matter have come to the conclusion that it must be the tarred rope which is used in connection with the traps. The Minister might extend his investigation to that matter.

Mr. EISENHAUER. I would like to say that, in view of the fact that the Finance Minister has been increasing the taxes so heavily on many of the articles the fishermen use, it would be only fair to increase this vote. While the fishermen are assisting to pay other subsidies given by the Government, the other classes in the Dominion are not at all assisting towards paying the fishery bounty that is authorised by statute. There were four millions and a-half paid into the Treasury by the United States on the Fishery Award, for the use of fishing on our coasts for 12 years. We have received the interest on that amount for a number of years, which amounted, according to my calculation, to a million dollars more. But even at the present time you are not giving the interest on this award to the fishermen. The interest would be something over \$1,000,000 per annum, and you are only paying in bounty \$150,000. I think it would be only right that the fishermen should receive, at least, the interest on the award received from the United States. On the one item alone of iron, the Government will take more from these fishermen, in the shape of increased duties given to the manufacturer, than the fishermen will receive. A schooner of 80 tons now receives \$80, and the crew will receive \$4 or \$5 per man. Now, the \$80 will not pay the difference in duty on the iron that will go into the construction of a fishing vessel, and the chains and anchors and other iron articles used in a fishing vessel; and the \$4 or \$5 a man will not pay the additional duties that has been imposed upon many of the articles that these people consume. The Finance Minister, a few evenings ago, so far as I could understand, tried to belittle the fishing trade and those engaged in it, and intimated that fish should not be shipped by steamers; and the hon. the junior member for Halifax expressed great sympathy for the Cunard steamboats that were lying idle. I think the senior member for Halifax (Mr. Jones) showed clearly that subsidising these steamers would tend to lay up the schooners now employed in the West India trade. I think some consideration should be given to these fishermen, because, as far as wealth goes, they cannot be at all compared with the bulk of the manufacturing classes of the Dominion. The most of the latter are wealthy, while the fishermen, as a class, do not more than make their living. I think this matter should be taken up and fully considered by the Government, and the amount should be increased, at all events, to the interest on the \$4,500,000 which was received from the American Government. I hope the Minister of Finance will not encourage the subsidising of steamers to interfere with the present mode of shipping our fish. I was going to say a few words on that subject the other evening. While even admitting that the subsidising of a steamship line from Halifax to the West Indies might be a good project, it could be of no benefit to the western counties, for the steamers would not touch at Lunenburg or Yarmouth, and, therefore, would not benefit the trade of those counties. Unless the shippers of those counties sent

Mr. MARA:

their fish down to Halifax it would not benefit them, and to do that would not pay. I, therefore, hope the Government will refrain from subsidising those steamers, which they are asked to do by a number of gentlemen from Halifax.

Mr. ELLIS. I should like to ask the Minister of Marine, not so much with regard to what the hon. member for Lunenburg (Mr. Eisenhauer) has stated, as to whether he has considered the effect of the policy of bounties? It seems to me that the effect of the bounties—I do not object to them—is that we are driving out the schooners and larger vessels, and gradually the ordinary shore fishermen are obtaining the bounties. I observe the tonnage of the larger vessels is decreasing. The effect of a bounty ought to be to increase the tonnage of the larger vessels. Everybody can secure a boat, fish near the shore and get a bounty in that way. I presume the policy of bounties should be rather to increase the larger vessels, so that the business would be carried on more effectively and at greater profit. Our exports of fish declined \$1,750,000 in 1884, 85 and 1886. Did the bounties affect that? My hon. friend from Northumberland (Mr. Mitchell) says there is an increased value of catch. But I do not think you can rely on the statistics as to the value of the catch as fully as on the statistics of exports. That is the true measure of the trade that is done, and the exports have fallen off—we are not selling as much fish as we did—we have not as many vessels, we have not as many men employed on the larger vessels; and, therefore, there is a question as to whether the bounty is doing what hon. gentlemen opposite intended it to do.

Mr. FOSTER. Does the hon. gentleman urge that the bounty should be taken away?

Mr. ELLIS. No.

Mr. FOSTER. I think that the hon. gentleman's remarks tended in that direction.

Mr. ELLIS. No.

Mr. FOSTER. I should like it to be noted by the fishermen of Nova Scotia and New Brunswick, the peculiar way which the hon. member for St. John (Mr. Ellis) takes to protect them. He has taken strong ground against protecting our rights to our fisheries, and if his remarks to-night mean anything, they are that we ought to take away the bounty from our fishermen.

Mr. ELLIS. Is that a fair kind of remark to make after the way I have spoken of this matter as one of public policy? Is it quite fair that, when I discuss the effect of the bounty system with respect to the fisheries, the hon. gentleman should endeavor to put me in a false position? I consider it an exceedingly mean thing to do; but I will not press it further.

Mr. KIRK. My hon. friend did not complain of the bounty, but he thought it would be better to give a larger proportion of it to those who owned vessels, who fished in vessels, and not so large a proportion to those who fished in small boats. That was his opinion; but I do not think he was right. My impression is that the men who own vessels receive too large a proportion, and an increased proportion should be given to the small boat fishermen, who are poorer men, and not able to build large vessels. I maintain my hon. friend is wrong on that point.

Mr. ELLIS. I did not express any opinion, but I merely pointed out what was the effect of the bounty.

Mr. KIRK. That is my opinion—that a larger appropriation should be given for the purpose of encouraging the poor fishermen, those who are obliged to fish within the three-mile limit, in small boats. It is for their right to fish within the three-mile limit that the money was obtained; therefore, those who fish there should be benefited by the bounty. They are the poorer class of the people, and are

unable to purchase large vessels, but are obliged to remain at home and fish in small boats.

Mr. DAVIES (P.E.I.) The system of bounties is entirely wrong and very mysterious, and hon. gentlemen opposite cannot confer a greater favor on the fishermen of the Maritime Provinces than by withdrawing the bounties, and in place of granting them relieving the fishermen of the taxes they pay in other directions. They are entitled to the bounties, but I do not think they obtain them, because they go into the hands of middle men, and a large proportion never reaches the poor fishermen.

Mr. MITCHELL. I do not rise to pursue the argument which the Minister of Marine adopted towards the hon. member for St. John (Mr. Ellis). It was an exceedingly unfair argument, and on consideration he will see he was placing the hon. member in a false position in giving to his words a construction he never intended. I rather agree, however, with the remarks of the hon. member for Guysboro' (Mr. Kirk) that instead of giving the bounties to owners of large vessels and not to owners of small boats would be rather a mistake. There is a good deal to be said on both sides, but where there is one owner of a large vessel there are one hundred to two hundred boat fishermen, and they require greater aid than do the men who are able to build and work large vessels. As stated by the hon. member for Queen's (Mr. Davies) in regard to the bounty, I must say that it has always been a very serious question with me, from the time that appropriation was first made, whether it was in the interest of the fishermen or not. I come from the seashore, and I am not afraid to express my opinion, and it is, that it is not a beneficial way of helping the fishermen. If they were relieved from the duties which, under the increased tariff, will still further be increased on the articles which go into consumption and which are necessities, it would be better.

Mr. DAVIES. Corn meal.

Mr. MITCHELL. Yes, corn meal, and the outfit of their vessels. That, it seems to me, would be a better way of assisting them. If we cannot obtain all these changes we have, of course, to take what we can get. The men by the sea do not get justice. The modesty of the representatives they send here, who do not assert the rights of the people they represent—and I, myself, feel that I fail to do so—and I hold that it would be more for the benefit of the fishermen if these duties were removed than if they received the bounty at present given them. However, we will accept what we can get.

Sir RICHARD CARTWRIGHT. It is beyond the power of Parliament to confer that power on the members of the Government.

Mr. JONES. There are two grounds on which an increase of bounty would be quite justifiable. First, on the ground that there is a large amount of money received from the American Government for the use of our fisheries. That privilege belongs to the fishermen who are interested in that grant, and, therefore, any interest derived from that sum should be fairly claimed by those interested in the fishing interests in the country. Again, the articles which the fishermen require to use have been so largely increased in cost by the fiscal policy of the country, in the last five or six years, they have been such large consumers of dutiable articles, and such large users of those dutiable articles which enter into the construction and equipment of their vessels, that they pay, *pro rata*, a much larger proportion than those who follow agricultural pursuits. I think, on those two grounds, that the fishermen of the Dominion have a fair claim on the Government for an increase of the subsidy, at least to the extent of the interest on the amount received from the Americans for the use of our fisheries.

Mr. MILLS (Bothwell). I would like to ask at whose expense the fisheries are to be protected and the vessels to be fitted out. Are they to be maintained at the expense of the entire community? Are we, who live inland, to pay any portion of the taxes by which this protection is to be afforded? If we are to be exempt from those liabilities, I think it would be reasonable that any profit or advantage derived from the sop which the Americans have paid into the Treasury for the privilege of fishing in our waters, should go to the improvement of the fishermen. But it does seem to me that it is an extraordinary system, one which has been introduced by the present Minister, to grant bounties to men in the pursuit of the ordinary calling in life in which they are engaged. Who is going to grant a bounty to the carpenters? Who is going to confer a bounty upon blacksmiths, or any other body of men who are engaged in mechanics? Who is going to give a bounty to the farmer for cultivating his land and producing his crop? Why should one class of the community—deserving and highly useful, no doubt—receive a bounty in order to encourage them to pursue that business in which they are engaged, any more than any other class of the community? Now, there is no doubt that that is the way the bounty was given. We know it was given just preceding an election, and no one can question that it was given for the purpose of influencing the votes of the fishermen, and while the fishermen were apparently benefited by the grant or bounty, there were imposed on them taxes in excess of any favor which was conferred on them. If the hon. gentleman is disposed to favor the fishermen, let him have his clothing, his outfit and his food at a low rate and exempt him from taxation and then he will be aiding him more effectually than under the present arrangement, and in a way not inconsistent with his manhood and independence.

Mr. MITCHELL. If you can get that done I would be willing to wipe out the bounties.

Mr. JONES. I would say to the hon. gentleman who has just spoken that the fishery question has been the great factor whereby the Government of this country, since Confederation and before Confederation, have been able to obtain reciprocal relations with the United States, by which the products of the old Provinces of Canada were admitted duty free into the United States. Therefore, to-day, our claim for the fisheries are kept up from a national point of view, and not from a view as affecting the fishermen alone. We are maintaining our rights to our coast fisheries on the ground that they may be utilised—I do not know how soon; I hope very soon—by obtaining the largest measure of reciprocal trade with our American neighbors. It is all we have to give; it is all they desire, and if we had not our coast fisheries to offer as a return to the United States for reciprocal trade relations with that country, there would be no possibility of having those relations with them at all. Therefore, the hon. gentleman will see that this is a question more important in a national point of view than he is disposed to regard it, and that it is not merely in the interests of the fishermen.

Superintendence of Insurance—expenses..... \$5,500

Mr. PLATT. I would like to ask why the report of the Superintendent of Insurance is not down? I do not know whether the year terminates on the 30th June last, or at the end of the calendar year, but at any rate there is sufficient time for the report to be brought down.

The CHAIRMAN. Carried.

Mr. MITCHELL. I think the hon. gentleman's question should be answered by somebody.

Sir CHARLES TUPPER. I will make an enquiry.

Geological Survey.....\$55,000

Mr. MITCHELL. I wish to ask when the report of that Department will be brought down, and while I am on my feet I would just say that it is one of the few Departments from which I have received what I conceive to be discourtesy. One of my constituents wrote me the other day—

Mr. HESSON. We heard that before.

Mr. MITCHELL. Then you will hear it again, and hear it as often as I like. The less of your interference we get the better.

Mr. HESSON. Who is wasting the time of the House?

Mr. MITCHELL. I applied to that Department—

Mr. HESSON. Go and pay like the rest of us do.

Mr. MITCHELL. I am always ready to pay what I have a right to pay, but if the public—

Mr. DAVIES (P. E. I.) Mr. Chairman, these interruptions are most unfair.

Mr. JONES. And they all come from one man, from one hon. member.

Mr. MITCHELL. He is noted for his impertinent interruptions.

Mr. KIRK. Hear, hear.

The CHAIRMAN. Order, order.

Mr. MITCHELL. Now, as I thought, in a courteous and civil way, I asked that Department to please send me a copy of their report. I said if they had the annual report I would like to get it, but if I was refused that I said they could give me the report of last year. They said I could have another report by paying for it, but I managed to get one from a friend. I think when we pay \$55,000 for the support of a geological establishment, there ought to be placed at the disposal of the members of this House, such a number of reports that when one of their constituents wants to get a single report he ought to be able to get it. We know very well that some two or three years ago the efficiency of that Department was a subject which was seriously enquired into by a committee of this House, and that very serious reflections were made on that Department. Up to this time I have not heard of anything special being done by the executive of the country in relation to the matter, and I think it is time that they should be commonly civil to a member of Parliament who applies in a *bonâ fide* way for the purpose of giving to his constituents the benefit of a share in the large sum of money which the country votes towards that service.

The CHAIRMAN. Carried.

Mr. MITCHELL. I think we should stop now.

Sir CHARLES TUPPER. Yes, I was going to suggest that the Committee should report progress and ask leave to sit again.

Committee rose and reported resolutions.

Sir JOHN A. MACDONALD moved the adjournment of the House. He said: I must, I fear, give up all hope of carrying out the expectations I indulged in a few days ago that the House would be prorogued on Saturday. All hope of that is gone, but, perhaps, we may be able to look for prorogation on Saturday week.

Sir RICHARD CARTWRIGHT. I suppose Tuesday is to be a holiday?

Sir JOHN A. MACDONALD. I presume so.

Motion agreed to, and House adjourned at 1:45 a. m. (Friday).

SIR CHARLES TUPPER.

HOUSE OF COMMONS.

FRIDAY, 17th June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

REPRESENTATION OF DIGBY, N.S.

Mr. Jones moved:

That Mr. Speaker do issue his warrant for a new writ for an election in the electoral district of the county of Digby, N.S., vacated by the death of the late member, Mr. John Campbell.

Motion agreed to.

INDEXING OF SESSIONAL PAPERS.

Mr. BERGIN. With the permission of the House I desire to call attention to the remarks made by the hon. member for Queen's, P.E.I. (Mr. Davies), with regard to the indexes of the sessional papers. I was astonished, the other day, when he made the remarks he did in connection with the sessional papers, but not having a copy of any of the indexes by me, I allowed the matter to go until I should have them before me. I think the hon. gentleman must have referred to the indexes previous to 1885, because from 1885 until now, I think the indexes are as nearly perfect as they can be. I do not know of any papers, on any subject printed in the sessional papers, but can be found in almost a moment, by a reference to the indexes for 1885 or 1886; and a very great change was made since 1884 by the officer who has charge of the preparation of the sessional papers, and I think that the attention of the House should be called to this reflection upon a deserving officer, one who has very much improved the service.

Mr. DAVIES (P. E. I.) I may say that I had not the slightest intention of making a reflection on any particular officer, because I did not know who the officer was, and I have not the faintest idea at this moment who he is. But I know that the opinion I expressed is shared in by a large number of members on both sides of the House, with whom I conversed on the subject both before and since I mentioned the matter in the House. I have not examined the index for the year 1886, which the hon. gentleman says may be correct, and I hope it is; but I know that the indexes of previous years were very bad indeed. Those who understand them thoroughly may be able to follow them, but a person who has been accustomed to ordinary indexes by subjects finds it difficult to understand the manner in which the old sessional papers have been indexed. I am glad to hear the hon. gentleman say that an improvement has been made.

Mr. BERGIN. I may say that the hon. member for West Durham (Mr. Blake), was so pleased with the change made and the state of perfection at which the index had arrived, that he wrote to Mr. Romaine expressing his thanks and his satisfaction. The index is not only an alphabetical one, but it enables you to ascertain in a moment on whose motion a paper was ordered, the date at which the House ordered it, and the date at which it was brought down to the House—everything in connection with it.

Mr. DAVIES. I am very pleased to hear it.

NORTH-WESTERN COAL AND NAVIGATION COMPANY.

Mr. WHITE (Cardwell) moved for leave to introduce Bill (No. 161) to amend "An Act to authorise the grant of certain subsidies in land for the construction of the railways therein mentioned." He said: This Bill is merely to correct an error. The Act authorising a grant of land to the

North-western Coal and Navigation Company fixed the quantity at 3,840 acres. The Order in Council granting the land put the quantity at 3,804 acres, and this Bill is simply to make the correction, so as to make the Act conform with the Order in Council.

Motion agreed to, and Bill read the first time.

THREATS AND INTIMIDATIONS.

Mr. THOMPSON. I would ask the House to suspend the rules for the purpose of enabling me to introduce Bill (No. 162) to amend the Revised Statutes, Chapter 173, respecting "Threats, intimidations and other offences." I will explain briefly the purpose of the Bill. My attention was, the other day, called by the hon. member for Bellechasse (Mr. Amyot) to the circumstances which, in his judgment, required the urgent disposition of his Bill (No. 142) entitled "An Act for the protection of laborers on board vessels;" and in giving attention to the hon. gentleman's suggestions I was only able to acquiesce in his suggestion for the removal of certain defects in the present law, which are of the nature of technical defects; and when I read the one clause which this Bill contains, I will explain briefly what the alterations are that it proposes. It repeals section 11 of the Revised Statutes, Chapter 173, and substitutes the following section for it.

Mr. MITCHELL. What was the effect of section 11?

Mr. THOMPSON. Section 11 is to prevent intimidation, threats and other offences against persons working on board ships, and it has certain defects which it may be necessary to remove as quickly as possible. The clause I propose to substitute is this:

"Every person who unlawfully and by force or threat, or any other means, hinders or prevents, or attempts to hinder or prevent any seaman, stevedore, ship carpenter, ship labourer or other person employed"—

The present law says "usually working," and, therefore, confines the protection to persons who are accustomed to engage in that employment, whereas the protection should be extended to all those who are actually employed in the work—

"—to work at or on board any ship or vessel, or to do any work connected with the loading or unloading thereof"—

The present law restricts the protection to any person actually at work on board of any ship or vessel—

"—or to do any work connected with the loading or unloading thereof, from working at or exercising any lawful trade, business, calling or occupation in or for which he is so employed; or beats or uses any such violence to, or makes any threat against any such person, with intent to hinder or prevent him from working at or exercising the same"—

This is new—

"—or on account of his having worked at or exercised the same, shall, on summary conviction before two justices of the peace, be liable to imprisonment, with hard labor, for any term not exceeding three months."

The penalty remains the same, and the summary conviction before two justices of the peace is the same as before. The three principal new features introduced are these: First, to extend the protection of the Act to persons actually employed, although they may not be persons usually engaged in the business; second, to extend it to all persons employed on or about any ship or vessel, even though not working on board the vessel; and, third, to make it illegal to beat or use any violence to, or make any threat against any person by reason of his having worked at any vessel, or loading or unloading thereof. The present law does not extend the protection to those who were engaged in work that has been completed. I ask leave to introduce this Bill now, so as to expedite its passage as much as possible.

Motion agreed to, and Bill read the first time.

Mr. THOMPSON. I would, with the permission of the House, ask that the Bill be now read the second time.

Sir RICHARD CARTWRIGHT. I think that ought to be considered a little. I understood there were deputations and some remonstrances addressed to the House about this, and it may be a measure of some importance. I did not understand the hon. gentleman to say he was about to put the Bill through completely to-day.

Mr. MITCHELL. This is a subject which, when I was Minister of Marine, occupied a good deal of attention, and a Bill was brought in of a very stringent character to relieve certain abuses which occurred during that time. The rowdy element of Quebec had obtained the mastery to such an extent that they had actually gone on board vessels and turned men out of the fore-castle, and in one case actually shot a man, so that it was necessary to bring in a stringent law. The present law is one bearing in a similar way on the attempt to prevent people exercising the right of free labor. I entirely approve of the principle of this measure. I understand difficulty exists at present in Quebec, that ships cannot get loaded there, and that this is destroying the trade of the port. It is important the law should be maintained, and the Bill meets with my hearty approval.

Mr. LANGELIER (Quebec). I have examined this Bill and see no objection to it. I believe it will meet all the demands of the trade of Quebec.

Mr. EDGAR. Without seeing the Bill it is impossible to judge of its effects. The only thing I notice in it, as the Minister of Justice read it, was with reference to intimidation and threats, in which there is a decided distinction compared with the other clauses of the same Act. In the other clauses of the Act, where threats are made punishable, it is "threats of violence." As I heard the language used in this provision, the word introduced is simply "threats" and not "threats of violence." In that particular alone, we should not make a distinction in respect of one class of workmen and ship laborers that is not made in respect of another. If threats of violence are the only kind of threats which should be put down by the strong arm of the law, in other cases, I do not see why any difference should be made in the case of the ship laborers.

Mr. THOMPSON. As the Bill will come up for its second reading to-morrow, it will be more convenient that I should give any explanations required then.

NORTH-WEST COUNCIL ELECTIONS.

Sir JOHN A. MACDONALD. I will ask the House for leave to suspend the rules and to introduce Bill (No. 163) respecting the Council of the North-West Territories without notice. I believe there will be no objection from hon. gentlemen opposite. It is with respect to the elections of the North-West Council, which are to take place in October next. I am informed by hon. members from the North-West that, in consequence of the influx of settlers, fully half of the settlers, under the present law, will be practically disfranchised, and have no opportunity of voting in October next. The Council is elected for two years. It is the object of avoiding this disfranchisement that my hon. friend the member from Saskatchewan (Mr. McDowall) has a Bill on the paper, which is not likely to be reached, subdividing the whole of the North-West into new constituencies, doing away, among other things, with the prohibitory clauses in the present law, and dealing with the question of nomination and several points of importance which cannot possibly be discussed, even should we reach the Bill this Session. It would, however, be mockery to have an election in October when the majority of the people who ought to have the right to vote will practically have no vote. I, therefore, propose to ask the House for leave to introduce a Bill continuing the North-West Council until the end of the next Session of this Parliament. They will hold one Council more in October or November, and

the Government will be prepared next Session to bring down a measure redividing the whole of the North-West, and making the necessary alterations consequent upon the increase of population of that country. I merely ask the House to do away with the necessity of notice. I wish to have the Bill before the House now, so that, if possible, it may become law this Session. The Bill is a short one, and it reads:

Notwithstanding anything contained in the North-West Territories Act, the members of the Council of the said Territories shall continue as such until the end of the next Session of the Parliament of Canada, and no elections will be held before then except for the filling up of vacancies in the Council.

Mr. MITCHELL. Perhaps the right hon. gentleman would consider the advisability, when preparing that Bill, of making the mode of voting out there as it is all over the Dominion, viz., by ballot, instead of by open voting.

Sir JOHN A. MACDONALD. I have not the slightest objection. The reason open voting was adopted from the commencement of the Council was, I think, to have the voters come in anyhow or no how, so that they might record their votes; and as the population was scattered, there was a sort of ambulatory returning officer who got the votes of the people wherever they could be found. It was impossible to know where the ballot boxes should be sent, or how many. Now that the country has become more settled, the same mode of voting that exists in the rest of the Dominion ought to be adopted there.

Mr. LAURIER. I do not suppose there will be any objection, at this late period of the Session, to the suspension of the rules, as far as the introduction of the Bill is concerned, but I do not think, at present, any one would be disposed to admit anything further. Perhaps it would be more fitting the Bill of the hon. member for Saskatchewan (Mr. MacDowall) should be placed on the Orders of the Government, and thus have a chance of passing this Session. It is a serious thing to deprive the people of elections this year.

Sir JOHN A. MACDONALD. It is only putting them off for a few months. The Government cannot adopt the measure of the hon. member for Saskatchewan, and there are a good many points to be discussed to which the necessary attention could not be given this Session.

Mr. MILLS. The hon. gentleman spoke to me, and I told him that, speaking for myself I would not object to his introducing the measure without notice, but, of course, I did not bind myself to accept his proposition. Now, this Bill proposes to do what was done in the time of Queen Anne, it proposes to extend the period beyond that for which the Legislature was elected.

Sir JOHN A. MACDONALD. It is seven months instead of seven years.

Mr. MILLS (Bothwell). That was an extension from three years to seven years, and this is an extension from two years to three and half years.

Sir JOHN A. MACDONALD. No, to two and half years.

Mr. MILLS (Bothwell). Well, the time will be up in October. Does the hon. gentleman suppose it will be possible to have a Session of Parliament and then to hold an election before the October following.

Sir JOHN A. MACDONALD. No.

Mr. MILLS (Bothwell). So it is really extending the period for a year beyond the period for which the House is elected. That is one objection to the Bill which the hon. gentleman has introduced. I called the attention of the House to the fact that a large portion of the population of the North-West would be without representation when we were discussing the subject of the representation last year, and it seems to me that this is a matter that the Govern-

Sir JOHN A. MACDONALD.

ment ought to have been ready to deal with this Session. Then the hon. gentleman knows that certain members from the North-West proposed to him a measure which, he says, the Government cannot accept. There were many propositions in that measure which, I think, very few members of the House would be willing to accept, such as those provisions relating to the sale of liquor in the North-West, which were very foreign, indeed, to the subject of representation; but I understood that those gentlemen were ready to eliminate everything of that sort. The question is whether the Government could, during this Session, make a division of the territory of the North-West into electoral districts so as to give to the whole population a fair representation. It seems to me that the Government being in possession of the census, any one Minister who would devote his attention to that for an afternoon could lay before the House a plan of representation for the Territories, and especially could he do so with the aid of those who represent that territory, and the hon. gentleman could get that measure through the House with almost as much facility as he can the Bill now before us.

Sir JOHN A. MACDONALD. Not without the hon. gentleman's assistance.

Mr. MILLS (Bothwell). I would feel, and I am sure hon. gentlemen on this side of the House would feel, more inclined to support a proposition of that kind than this proposition, which nothing but the inability to deal with the matter in another way can justify, that is, the extension of the period for which a Parliament is elected. I think, rather than deprive two-thirds of the population of the right of voting at the next election, I would support the hon. gentleman's proposition if we had no alternative, but I think there is another choice open to us, and that is dividing the North-West into electoral districts, and permitting everyone who has voted for members of this House to vote for members of the North-West Council.

Mr. EDGAR. What difficulty is there in allowing the election to be held and dealing with this matter next Session? I cannot see any objection to allowing the local House to expire in the natural way between the present time and the next Session, and dealing with the matter, and taking time to deal with it, next Session, and then, if it is an urgent matter, and this Parliament has jurisdiction, shortening the period then would not interfere with the period for which the Council was elected, and we are acting far more constitutionally and avoiding a bad precedent, and are not doing harm to anybody or disfranchising anybody under the sun.

Mr. DAVIN. I should, myself, have preferred if a measure had been introduced at an earlier part of this Session, but, as it has not been introduced, I think the proposal of the right hon. gentleman is one which is most in the interest of the North-West. I think it would be very undesirable that, at this period of the Session, we should go into a matter which would require a great deal of consideration which cannot be given to it at a time when we are all hurrying to close things up here, and, therefore, for my own part, I will support the proposal of the right hon. gentleman. No harm can be done, and, if another Council is elected, what will happen will be this: that you will have these persons disfranchised for a considerable period longer.

Sir JOHN A. MACDONALD. Two years.

Mr. DAVIN. Yes; two years. Therefore, I support the proposal of the right hon. gentleman as being most in the interests of the North-West.

Motion agreed to, and Bill read the first time.

BUSINESS OF THE HOUSE.

Sir JOHN A. MACDONALD moved that when the House adjourns this day, it do stand adjourned until Satur-

day, at three o'clock p.m., and that Government Orders have precedence on that day.

Sir RICHARD CARTWRIGHT. I would suggest to the hon. gentleman that, as probably he is well aware, unfortunately very little business, as a rule, is done on Saturday evenings, and certainly last Saturday was no exception to that general rule. • Would it not be better—would it not increase our facility for despatching business, and probably conduce to the convenience of the hon. gentleman, and of the members generally, if we were to meet at 1:30 and adjourn at six? It would give nearly the same time in point of hours, and a more effective time than we would have by meeting at 3 and adjourning at 12. Of course, it is only a matter of convenience.

Sir JOHN A. MACDONALD. I will accept the suggestion of the hon. gentleman, but say that we meet at one and sit until 6. My experience, however, is that, in morning sessions, members are much more talkative than they are in the evening.

Motion, as amended, agreed to.

PERSONAL EXPLANATION.

Sir CHARLES TUPPER. I wish to make a very brief statement to the House before the Orders of the Day are called. The House will remember that, on a recent occasion, when the question arose of the policy of various Governments in regard to the action of subordinate officers, I read a letter to the House which was handed to me by an hon. member who sits behind me from a printed paper published at the time, which was some time ago, and which I had no idea was not authentic. It purports to be a letter written by Mr. Wm. Ross, then a member of this House, and at one time a member of the Government; and when I read that letter to the House I had entirely forgotten that when it was originally produced its authenticity was challenged. That statement was made by an hon. gentleman opposite, and I think it is right that I should say that I have received a letter from Mr. Ross calling my attention to the fact of his having denied the authenticity of the letter, and assuring me that the letter was a forgery. I take this opportunity of stating to the House that I accept that statement. I have not the slightest doubt of the accuracy of the statement made by this gentleman, who at this moment holds a very high and important office under the Government. I have very great pleasure in making the fullest amends to the hon. gentleman, and in expressing my regret that I should have forgotten, what I now remember, that, at the time the letter was produced, its authenticity was denied.

PRESCOTT AND RUSSELL COUNTY COURT.

Mr. LABROSSE. (Translation.) Mr. Speaker, before the order is called, I desire to call the attention of the Government, and of the Minister of Justice, to the state of the court at L'Orignal, in the judicial district of Prescott and Russell. It seems that the court is open since last Tuesday; consequently the jurymen and witnesses have been there for three days, and nothing has been done, owing to the absence of a judge. Mr. Maxwell, the county attorney, has written to me that no less than \$300 additional expenses will be caused by this delay. I desire to know whether means have been taken to appoint a temporary judge to this court, or whether a new judge has been appointed to take the place of Judge Daniels, lately deceased.

Sir JOHN A. MACDONALD. I would say to the hon. gentleman that in consequence of the regretted death of Mr. Justice Daniel, a deputy judge has been appointed to go down and hold the present Quarter Sessions, Judge Lyon, of Ottawa. The appointment of a county judge will be made in a few days

SUPPLY—M. F. O'DONOGHUE.

Sir CHARLES TUPPER moved that the House again resolve itself into Committee of Supply.

Mr. LANDERKIN. Before you leave the Chair, a matter has been brought to my notice which I consider of sufficient importance to be brought to the notice of this House. It is in reference to an agreement that was entered into by the First Minister with one M. F. O'Donoghue, in reference to a claim of the late W. B. O'Donoghue, Manitoba. A gentleman has placed in my hand a statement of that agreement, which I will read to the House. He makes a statement, too, about the Premier of this country, on the 14th January, 1887, in which he says:

"Whereas, on the 29th of last January, the Right Hon. Sir John A. Macdonald, leader of the Government, made me the following proposition, which was accepted on the 30th of the same month, to wit: That in case he had a majority in the next House of Commons, he would have a decent sum granted by Parliament to the representatives of Professor O'Donoghue for losses sustained by him."

I find in reference to this agreement made by the Premier with M. F. O'Donoghue, certain letters which are placed in my hands, or copies of letters, which lead to the inevitable conclusion that Sir John A. Macdonald, Premier of this country, did enter into this agreement with Mr. M. F. O'Donoghue. I find that he addressed a letter to the Premier on the 24th January, and in this letter he relates several matters in regard to the claims of his late brother. He draws the attention of the Premier to these claims and to the statements made, not only by the Premier, but by the Minister of Finance, in reference to this claim some years before. The importance of the letter seems to have been acknowledged by the Premier, for I find in the letter he gives me that we have a letter from the Premier to him, which is dated at Earncliffe, Ottawa, 28th January, 1887:

"DEAR SIR,—If you call upon me to-morrow morning, say at eleven o'clock, I shall be glad to see you.

"Yours truly,

"JOHN A. MACDONALD.

"To M. F. O'DONOGHUE, Esq.,
"Ottawa."

Then we have this letter:

"OTTAWA, 30th January, 1887.

"To the Right Hon. Sir JOHN A. MACDONALD,
"Premier of Canada.

"SIR,—I beg to inform you that I accept your proposition of yesterday, that in case you have a majority in the next House of Commons you would have a decent sum granted by Parliament to the representatives of Professor O'Donoghue for losses sustained by him, deeming the sum sufficiently satisfactory to his relatives and to his fellow countrymen in Canada, with whom his memory and his interests are a sacred trust. On the strength of that proposition and of the interest manifested by yourself and your colleagues, both in and out of Parliament, in the case of Professor O'Donoghue, and the Irishmen of Canada as represented in him, I deem it my duty to do all in my power to see you triumphantly returned to the next Parliament, and shall be happy to accompany you to Toronto, as you requested, and take part in the present campaign, with pen and tongue, wherever my services may be deemed most valuable. Kindly inform me when you start, and any further details you may consider advisable.

"I have the honor to be, Sir,

"Your very obedient servant,

"M. F. O'DONOGHUE."

"ALBION HOTEL."

Then we find that for some reason or other, Mr. O'Donoghue did not turn up at the station the next night, and we find a letter written by the secretary of the Premier of this country to Mr. O'Donoghue, which is dated, Union Station, Ottawa, 11 p.m., 31st January:

"DEAR SIR,—Sir John A. Macdonald desires me to say that he expected to meet you at the station to-night to go up to Toronto on the night train. He thinks you had better follow up to-morrow morning.

"I am, dear Sir, yours truly,

"JOSEPH POPE,

"Private Sec'y.

"M. F. O'DONOGHUE, Esq., Albion Hotel."

From the agreement which he says was entered into between himself and the Premier of this country, which I have read to the House, and from the letters I have read, it was apparent that there must have been something of that kind. That agreement shows that Sir John A. Macdonald, the Premier of this country, had entered into an agreement with this M. F. O'Donoghue, and copies of the letters that I have read would indicate that such was the case. Hon. gentlemen will probably say that the copies of the letters are not sufficient, that I should have read the original letters. If there is any doubt on this point, I have the original letters here also, and I can read them for the satisfaction of hon. members. In regard to the claim of the late Mr. O'Donoghue, speaking for myself, I know nothing; but I remember, and every hon. member who occupied a seat in this House in 1877, will well remember, how his claims were advocated by the present Minister of Inland Revenue and by the present Premier of this country. To show the House that they believed his claims were right and just, I will read what was said by the Premier on that occasion. He complained very bitterly because the Government that was then in power had not granted an amnesty to Professor O'Donoghue. He complained also bitterly because he was kept out of the country whilst unscrupulous men were taking away his property in Canada, and he led the people to believe that O'Donoghue was very much injured by the course pursued by the Government led by the hon. member for East York (Mr. Mackenzie). He stated in the House at that time that Professor O'Donoghue was banished for the term of his life from his home, that it was an act of injustice, and there was no excuse for it, that this man had been left out in the cold, while others obtained permission, after three years, to return to this country and assume the privileges of British subjects as freemen and enjoy their property. Speaking in reference to this at Barrie, in 1878, the First Minister said:

"Mr. O'Donoghue wants to return to this country, not for the purpose of living in Canada, but for the purpose of recovering his lands in Winnipeg, which some unscrupulous men are trying to get hold of."

Then we find that the Minister of Inland Revenue, speaking in regard to the late Professor O'Donoghue, in the Session of 1877, said, I read from *Hansard*:

"What reason would justify the fact that he was banished for all time out of this country and his property, a large amount, is wrested from him and enjoyed by others?"

Now, we find those gentlemen believed, or stated at all events, that he had rights, that he had property, and he was kept out of the country by the action of the Government of Mr. Mackenzie, and prevented from getting his property. After a length of time Mr. Mackenzie's Government went out of power and Sir John A. Macdonald's Government came in. It was eight or nine years since they came into power, and I understand while negotiations have taken place between the heirs of the late W. B. O'Donoghue and the Government that as yet nothing had been arrived at. But we find that immediately before the elections the Premier entered into an agreement with M. F. O'Donoghue that if he would assist him in the elections, if he would go into the elections with him, he would have a decent sum placed in the Estimates for the purpose of paying off the claims of the late W. B. O'Donoghue. M. F. O'Donoghue believed that statement. He entered into the campaign with the hon. gentleman. He did not, it is true, accompany him to Toronto; I do not know what were his reasons for declining to go up in the same car, but when the hon. gentleman reached the station a note was sent by his secretary asking Mr. O'Donoghue to go up in the morning. He goes up in the morning. He there is told a telegram is sent by the Premier to the Minister of Inland Revenue telling him he had made a settlement with the heirs of the late W. B. O'Donoghue and asking M. F. O'Donoghue to go to the editor of the *Irish Canadian* and inform him that he had

Mr. LANDERKIN.

made a just and equitable settlement of the claims, and that he would see justice done in the matter. He goes into the elections with the hon. gentleman. He visits several constituencies where he is requested to go. The Premier at that time had trotted out the Protestant horse, he was riding it triumphantly; but he was using the back stair influence of other parties in order to secure the Irish Catholic vote. He was willing to enter into negotiations and an agreement in order to secure the cooperation and assistance of those men by fair promises. Mr. O'Donoghue entered into the campaign with him. He went into West Peterboro' and exercised his influence there, also into East Peterboro' and rendered assistance there, he also visited South Victoria, Algoma, East Assiniboia and East Northumberland and aided the Government, and he believed when he was doing this that he was going to get justice done to his brother's heirs. He relied upon the promises made by the First Minister of Canada; he believed that the promises made by the First Minister would be kept, and he worked on behalf of that Minister as far as he possibly could. When the elections were over and the First Minister had been returned to power he had no further need for that person who had assisted him; and the estimates have come down, but no sum appears in them to meet those claims, claims which the First Minister had admitted when out of office, claims which the Minister of Inland Revenue admitted when out of office; but after they got through the elections they placed nothing in the Estimates. I do not know whether there should be anything in the Estimates or not; but the arrangements was that there would be. If not, the First Minister should never have entered into an agreement to place a sum in the Estimates merely for the purpose of getting support. We find that this O'Donoghue had been courted by other Ministers. We find that the Minister of Railways sent for him; I have a note from his secretary desiring a conference with him. This was in December. What for? To go into the Ontario elections in order to defeat the Mowat Government. We find that others made application to him, and every means have been used for the purpose of securing the support of this Mr. O'Donoghue, who, I understand, is a very clever and able man. The hon. member for North Simcoe (Mr. McCarthy) undertook to establish the claims and work out the claims of W. B. O'Donoghue.

Mr. MITCHELL. They are on different sides.

Mr. LANDERKIN. Yes, they were on different sides. But there was a beautiful blending of the orange and the green. There was the canter on the Protestant horse in daylight and the auxiliary means used, but after taking up that bold platform it was not very good policy for them to make it known. In the letters which I hold here, written by the hon. member for North Simcoe (Mr. McCarthy), he seems to admit that Mr. O'Donoghue had claims. He placed a notice on the paper asking for papers in the year 1879. Whether those papers were brought down or not I cannot say, but at all events he gave notice before the election, and he was also somewhat enthusiastic over those claims. But after the elections were over, his enthusiasm, like that of the First Minister and like that of the Minister of Inland Revenue, died away. It was no longer necessary to keep the promises they made and the assurances they gave to Mr. O'Donoghue, because their object had been served. Some other means, some other device, could be raised, probably, to assist them at some future time. Now, I have felt it was my duty to bring this matter before the House.

Some hon. MEMBERS. Hear, hear.

Mr. LANDERKIN. I believe it is the duty of every member of this House to see that if a pledge is given with a view of securing assistance or support at an election that it should be attended to.

Some hon. MEMBERS. Hear, hear.

Mr. LANDERKIN. And if a pledge is given which is not properly given—that should not be properly made, which had no right to be made, and I say that the First Minister, after making a pledge of this character, if this gentleman had no claims, was not justified in making pledges or leading the heirs of W. B. O'Donoghue to believe that the claims would be attended to if he had a majority at the elections. I have brought the matter before the House, and I leave it for the House to say whether it is in the interests of this country that the First Minister shall endeavor to succeed in maintaining power by making pledges which he does not perform. But if it is satisfactory to the House that such a state of things should exist, why I will have to bow to it as best I can.

Mr. McCARTHY. Will the hon. gentleman read the letter which he says he has from me? I have no recollection of having had any correspondence with Mr. O'Donoghue.

Mr. MACKENZIE. You were loaded up the other way.
Some hon. MEMBERS. The letter, the letter.

Mr. LANDERKIN. Perhaps the hon. gentleman wants the letter.

Mr. McCARTHY. I do.

Mr. LANDERKIN. It is a very long letter and probably it would do if I would hand it to the reporter.

An hon. MEMBER. He cannot read it.

Some hon. MEMBERS. Read, read.

Mr. LANDERKIN:—

“BARRIE, 26th March, 1879.

Mr. McCARTHY. 1879?

Some hon. MEMBERS. Oh, oh; read, read.

Mr. LANDERKIN. The hon. gentleman was loaded up the other way at that time.

Some hon. MEMBERS. Read, read; dispense.

Mr. CAMERON (Inverness). 1879?

Mr. LANDERKIN. Yes; the speech of the First Minister which I read was in 1877—he was in Opposition then—and the speech of the Minister of Inland Revenue was made in 1878. You would not expect those gentlemen to remember a promise they made so long ago. No, of course not.

“DEAR SIR,—I found yours of the 20th inst. on my arrival home this evening. On Saturday last Mr. Costigan and I had a long interview with a Mr. Spence.”—

Some hon. MEMBERS. Dispense, dispense.

Mr. LANDERKIN —

“—and went fully into the whole subject of his and your late brother's claim to the Winnipeg property.”

Some hon. MEMBERS. Give it up.

Mr. LANDERKIN. I think I can make it out without a cipher.

Some hon. MEMBERS. Spell it.

Mr. LANDERKIN —

“His position is that he has the claim, but that he is willing to share it or go halves with your” —

Some hon. MEMBERS. Hear, hear.

Mr. McCARTHY. Who is willing to go halves?

Mr. LANDERKIN —

“—he does not think that the entry of your brother's name in pencil gave him any claim, but he states the he (Spence)” —

An hon. MEMBER. Put your specs on.

Mr. MITCHELL. It cannot be copperplate surely.

Mr. BERGIN. Let the hon. member for North Simcoe (Mr. McCarthy) read the letter, and then let him be forgiven.

Mr. PATERSON (Brant). Send it over to him to read.

Mr. LANDERKIN. Perhaps the hon. gentleman (Mr. McCarthy) would read it?

Sir JOHN A. MACDONALD. Question, question.

Some hon. MEMBERS. Read, read.

THE IRON DUTIES.

Sir RICHARD CARTWRIGHT. While the First Minister is considering his reply to my hon. friend, I will have a conversation with the Minister of Finance, which will give the First Minister time to recall all those interesting transactions to his memory, and, perhaps, the Finance Minister will give us some information. The point that I wanted to call his attention to was this: I am informed that the decision at which the Government arrived, that they would grant a certain indulgence in the matter of the duty on iron, in the case of goods brought into this country before a certain time, from some cause or other, to me unknown, had leaked out, and that in London, Manchester, Birmingham, and other places, some considerable number of days before the matter was announced in Canada authoritatively, the thing appears to have been known. With the permission of the House, I will read briefly the facts, and will leave it to the Finance Minister to say whether he thinks any further length of time can be granted, or whether any means can be devised to put all these people on an equality. I express no opinion as to the wisdom of the course adopted with respect to granting this indulgence. That is a question apart, which I am not going to raise now. But it is pretty clear, I think, that, as far as possible, all the trade should be put on the same footing. I will read this statement, and the hon. gentleman can correct me if it is wrong:

“On the 7th of June a notice appeared in the Toronto *Mail* that all goods purchased previous to the 13th of May and arriving in Canada before the 1st of July would be allowed to be entered at the old rate of duty. That was the first intimation the Toronto merchants had of the order.”

I think that was the date if I remember aright —

“From information received from England and France, that information must have been obtained by one or more Montreal importers before it was known to the general public. We have before us a letter from my firm's buyer at Manchester on the 28th of May, stating that it was reported there that the new duty would not be exacted before the 1st of July, and that Montreal houses were hurrying forward their goods so as to have them in Canada before that date. I have also a letter from London showing that it was known there, and I enclose one from Rouen, in France, dated on the 3rd of June, which will explain itself.

That letter simply states that it was known there that this tariff was not proposed to go into force until the 1st of July.

“No information was received at the Custom house before the morning of the 7th of June that goods were to be passed at the old rate of duty up to the 1st of July. On the 7th of July we cabled to ship everything which had been ordered, but fear it will do little good as the time was too short.”

Now, as I said, I say nothing at all about the policy of the matter. But it is tolerably clear, I think, from these statements which have been made to me, and which I now communicate to the Minister of Finance, that the intentions of the Department had got out; and it is quite clear, if he proposes to grant an indulgence of this kind, that as far as possible the various merchants affected should be put on the same footing. Having been absent from the House, I had no opportunity of discussing the way he proposed to do it, and I am not quite sure whether I would be free to make a suggestion; but I feel it my duty to call his attention and that of the House to the matter, because it is quite clear that when you depart from a former custom and grant an indulgence of this kind, unless the greatest possible precaution is taken, some merchants will obtain an incalculable

and unfair advantage over others. I am not prepared to say that the Minister of Finance is to blame in the matter, but I think some pains should be taken to endeavor to put all these parties on an equality, and I might add that in the case of merchants living at a distance from the seaboard, as in Toronto, some advantage will be given to their competitors in Halifax and St. John if they are not allowed to consider their goods as practically entered when they reached this Dominion. One or two days will make a very great difference in those shipments, and he should make some time or allowance to merchants of Toronto and the interior in the matter of invoices arriving on or about the 30th of June or the 1st of July.

Sir CHARLES TUPPER. I am very glad the hon. gentleman has called attention to this matter in the way he has done. I am quite sure it is not necessary for me to assure the House that no information was given by the Government in any way to any person in advance of the communication that was made to the public. The question that arose was a very difficult question, and very strong representations were made to us as to the effect of the very great change that was made in the tariff, and as to the hardship that would arise if it affected purchases made on contracts entered into before the change in the tariff was made. Under those circumstances the Government came to the conclusion that in cases where undoubted evidence was given to the Government or the Customs Department that clearly established the fact of purchases having been made in England or elsewhere out of Canada previous to the change in the tariff being announced, all such purchases should be allowed to be entered at the old rate of duty down to the 1st of July; and I took a very early opportunity of announcing that the Government would take measures to relieve parties who had made contracts previous to that date, from the effects of the large increase in the tariff. The statement was made on the floor of the House in the Committee of Ways and Means at a very early period after the tariff was announced, and, subsequently, having had all these representations before us, the Government decided to apply that not merely to existing contracts which parties who are obliged to fill, but to allow all purchases made previous to the announcement of the changes in the tariff on the 13th of May to be entered up to the 1st of July. There is no doubt that a certain amount of difficulty will arise in putting every person on exactly the same footing in relation to it. The hon. gentleman says that merchants in Halifax and St. John would have an advantage of a day or two in entering their goods, which would arrive a little sooner than the goods of the merchants of Toronto; but, on the other hand, the merchants of St. John and Halifax have made a very strong representation to the Government, that as the season is earlier in Montreal and in Toronto than it is in Halifax and St. John, they are placed at a disadvantage by not having ordered their goods to be delivered, although the purchases were made previously, in time to receive them and have them entered by the 1st of July. They claim that the cities of Montreal and Toronto will in that way have a great advantage over them. There is a good deal of difficulty in arranging these matters so as to put all upon a perfectly equal footing; but the object the Government had in arriving at the determination to allow goods to be entered where undoubted evidence was given of the purchase having been made before the announcement of the changes in the tariff, or where the goods were actually in bond, ready for entry, previous to that announcement, was one that I think commended itself to the House when a rather unusual and certainly a very unexpected change was made in a number of items in the tariff.

Sir RICHARD CARTWRIGHT. On what day did the hon. gentleman make that statement in the House.

Sir RICHARD CARTWRIGHT.

Sir CHARLES TUPPER. The first statement was made at a very early period, and the Minister of Customs communicated it to the various Customs officers immediately on the Government having arrived at the decision and announcing it to the House.

Sir RICHARD CARTWRIGHT. Is the information given me correct, that it was only announced in Toronto on the 7th of June?

Sir CHARLES TUPPER. That must be incorrect, because the announcement was made on the floor of the House about a month ago.

Sir RICHARD CARTWRIGHT. Of course, I can quite understand that the hon. gentleman announced that some measure of relief would be taken, but it would be difficult for merchants to act upon that until some measure was definitely announced, and that is the reason, I understand, for the statement that the formal order fixing the 1st of July was not known in Toronto until the 7th of June.

M. F. O'DONOGHUE.

Mr. DAVIES (P.E.I.) Read the letter.

Mr. McCARTHY. Do you want the letter?

Sir JOHN A. MACDONALD. No, no.

Some hon. MEMBERS. Read it, read it.

Mr. McCARTHY. If the Chairman will allow me I will read the letter.

"BARRIE, 26th March, 1879.

"M. F. O'DONOGHUE, Esq.,
"Collingwood.

"DEAR SIR,—I found yours of the 28th inst., on my arrival home this evening.

"On Saturday last Mr. Costigan and I had a long interview with Mr. Spence, and went fully into the whole subject of his and your brother's claim to the Winnipeg property. His position is that he has the claim, but that he is willing to share it or go halves with your brother's heirs. He does not think that the entry of your brother's name in pencil gave him any claim, but he states that his (Spence's) name was entered in ink—which, so far as my memory serves me, for the papers are in Ottawa, is correct—and that he staked out the land, that is, planted stakes at the four corners of the lot or parcel of land, and his contention is that under the Manitoba Act he was in 'the peaceable possession' of his land, and is therefore or was therefore entitled to the 'preemption.' My opinion is that this could hardly be called 'peaceable possession' or possession at all, within the meaning of the Act. But it may be, as Mr. Spence says, that according to the manner of locating and dealing with lands in the North-West, this (that is, the staking and the entering of the name in the Hudson Bay Company's register) might be considered possession. If so, he would have a good case to set aside the patent to the Hudson Bay Company in a court of law, and the Manitoba courts are the only courts that would have jurisdiction in the cases."

I hope my hon. friends are taking advantage of this opinion, because they ought to contribute something for it.

Mr. MILLS (Bothwell). You were paid for that before.

Mr. McCARTHY. Pardon me, I was not paid. I am getting paid now.

"But he misinformed Mr. Long, as after a good deal of cross-examination I expected from him, in saying that any such claim has as yet been recognised. He admits that so far none have been—but he says that numbers of half-breeds hold their lands or claim title on similar title—and that they must be recognised—or there will be another rebellion. How far he may be correct in this I don't know, for I must tell you Mr. Spence did not impress me as either a very intelligent or a very reliable person, and his real or pretended notion of his claim is of the most hazy kind.

"One thing is clear that while aware, as he admits he is, that his only redress is by proceeding in the courts of Manitoba against the Hudson Bay Company, that he has no intention of so proceeding, nor any means to proceed with nor any friends to help him. This of itself shows the obstruction his claim is held in, and I came to the conclusion that he has not the slightest intention of proceeding but is merely desirous of making a fuss so that some person may buy him off.

"Finally, we determined that we would move for the papers in connection with the sale or the patenting of the land to the Hudson Bay Company. This may help us—though I don't think it will, but we may jointly get some more light on the subject. And, at all events, it will be opening the matter and to some extent bringing the case to the notice

of the House and the country. On my return to Ottawa I shall at once put a motion on the paper if you don't disapprove of it.

"There is no ground for a committee until the papers are brought down, and I fear then we will be met by the argument that the courts of law are open to us."

Motion agreed to, and House again resolved itself into Committee.

(In the Committee.)

Fishery protection steamers and vessels.....\$125,000

Mr. DAVIES. I do not propose to enter upon a lengthy discussion of this important item. I recognise the fact that the Session is drawing to its close, and, however important the subject may be, I do not wish to detain the House by discussing the very important questions of an international character which are more or less involved in the vote the House is now asked to take. I merely wish to express my personal disappointment at the House being asked to vote this sum without having submitted to it the report of the officer in charge of the service during the present year. This service is a most important one. We may have different opinions as to the causes which brought about the necessity for voting this money. I, myself, believe that if the Government had taken the proper course in the matter years ago, which I invited them to take, of opening negotiations with the Government of the United States, we would have had no occasion to commission a number of cruisers to protect our fishery interests. I believe that if the proposition then submitted by the Opposition had been accepted, and if the Government had taken steps to open up negotiations with the United States, we would, to-day, be enjoying the benefits of a partial, if not complete, reciprocity treaty with the United States. Our proposition was however rejected; and, I believe, it was rejected, not on its merits, but through party feeling, which was so strong that the Government felt bound to reject any proposition that came from this side of the House. I have a suspicion now that the right hon. the First Minister is aware that, if he had acted on our advice, we would now be enjoying at least a partial measure of reciprocity. He is, therefore, very much to be blamed for not having taken steps at the proper time to open up negotiations with the United States, but that is a past matter, and I am not disposed to reopen it. My intention is simply to discuss this question in the light of the facts, as they exist at present. The Government having, as I said, neglected their duties, and being now, through that neglect, brought face to face with the present condition of affairs, namely, the expiration of the Washington Treaty, I think I express the opinion of both sides, that, in taking steps to protect our fisheries, the Government carried out the wishes of the very large majority of the people. I am quite sure that, under the then circumstances, that was the only proper course to be taken; and, so far as they have taken that course, they have my cordial support. I am not going to open up those grave questions, which have been, in my humble judgment, discussed with very great ability by the Minister of Justice and the Minister of Marine and Finance. I have given a good deal of time to the reading of the papers on those questions, and I think that, so far as the controversy is concerned, between Mr. Bayard and Mr. Phelps the American Minister to England, on the one side, and the gentleman who acted for Canada on our side, our case has been very well presented. I will not now go into the discussion of that case, but will only submit what seems to me to be a great weakness in the manner in which the Government are carrying out the protection of our fisheries. On the principle of a protecting service, I am thoroughly in accord with the Government; they were right in commissioning cruisers, but I do think those cruisers, acting under instructions, no doubt of the Department of Marine, have not taken the proper course to efficiently protect our fisheries. We have not before us any reports that we ought

to have. I think the First Minister will agree with me on that point. We have no report from the gentleman called the admiral of the service, Capt. Scott. We ought to have a complete report from the responsible head of the service, telling us how many American vessels frequented our bays during the past year or two, what portions of the bay they frequented, and the difficulty, if any, he experienced in effectually carrying out the protection of our fisheries. We are furnished simply the bald copy of the boarding books of the different commissioned schooners. It is too much to think that Mr. Scott, who has this large number of vessels under his charge, made no official report to the Marine Department. I think he must have made a report, and, possibly, owing, if not to the negligence of the officers of the Department, to some other cause, it has not been brought down. We have had to complain more than once that the reports of that branch of the Marine Department have been very late in being laid on the Table, and it was only the other day we were furnished any information as to the work done by the officers of the Government in the this connection. It is to that work I will shortly call the attention of the House. We have had under commission, during the past years, six or seven of these fast sailing cutters, and one or two steamers. Hon. gentlemen who have followed the history of this protective service will recollect that, during the past year, we have seized only three American vessels. One vessel, and one only, was seized for actually fishing within the three-mile limit. That was the *Highland Light*; the other two—the *Ella M. Doughty* and the *David J. Adams*—were seized for obtaining bait, or attempting to buy bait within the limits, and also for violating the Customs regulations, as I understand. It would strike those who know something about the habits of the American fishermen as very singular that if the poachers were watched, only one was seized for fishing within the three mile limit. The charge which I make—and I do that without making any charge of improper conduct against those who are carrying on the service—is that their time was devoted too much to the boarding and taking control of American vessels in harbors, while they did not give the proper protection they should have given to the sea coast fisheries outside. It was a matter of public notoriety, it was talked of at every fireside, it was talked of at every dinner table, it was talked of in every exchange in the Maritime Provinces, that the cruisers were almost all the time in harbor. It may be that it was necessary for them to be in harbor; it may be that it was necessary for them to watch these vessels, but my experience, and the information I have derived from those who have the best knowledge of the subject, leads me to believe that it was altogether improper for them to remain in harbor for the time they did. I find, taking up the copies of the different boarding books of these different vessels, that the information I had, and the facts which were generally known in the Maritime Provinces are endorsed by the official statement which is obtainable here. I find, in the first place, that the schooner *L. Houlett*, under command of Capt. Lorway, boarded 264 vessels; and one would suppose, in looking at this book, that this gentleman and his vessel had been exceedingly active in looking after these poachers and protecting our fisheries, but a critical examination of the paper will show that there was nothing of the kind. Why? Because, of the 264 vessels that he boarded, 259 were vessels lying at anchor in the different harbors of the Provinces, and he only boarded five vessels outside of the harbor. One of these five vessels was that which was seized for an actual fishing within the limits, the *Highland Light*, and she has been condemned and sold; and the other four vessels he boarded outside of the harbor while they were supposed to be trespassing within the bounds. Hon. gentlemen will see at once that this was a very small proportion. Then, we have the *Critic*, commanded by Captain McLaren, which boarded 135 vessels in all, but 132 of these

were at anchor in the harbor, and only three outside. The *F. E. Conrod*, Capt. Smeltzer in command, boarded 48 vessels, and of these seven were outside a harbor, at the mouth of the Baie des Chaleurs, and he reports that he boarded them and warned them not to enter the bay; but, outside of these seven, he does not seem to have boarded a single American fishing craft when it was engaged in prosecuting the fishing business in the Maritime Provinces. The *Terror*, Capt. Quigley, boarded 73 vessels in all, and all of these were in the harbor except one which he boarded at the mouth of the harbor of Shelburne. Then we have the *General Middleton*, that vessel was more concerned in the Bay of Fundy, with the fishing of which I am not very well acquainted, but they appear to be all small boats of two tons, three and six tons and so on, so I will not refer to that. They are not what we call fishing vessels at all. The *Lizzie Lindsay*, Capt. Pouliot in command, boarded 27 vessels in all. Two of these were outside and the other 25 were in the harbor. The *Lansdowne*, commanded by Captain Dakins, boarded 93 vessels in all. Nine of these were at sea and 82 were in harbor. Hon. gentlemen would imagine on a first glance that a man who boards 72 vessels has evidently done a good deal of work, but, if you examine the return, you will find that as many as 40 of those were lying in the same harbor at the same time, and were all boarded on one day.

Sir JOHN A. MACDONALD. What of that?

Mr. DAVIES. I say that these vessels were in the same harbor, and the work done consisted of boarding them in that harbor. I think he should have devoted more time to sailing along the coasts and boarding them there.

Sir JOHN A. MACDONALD. If they were in the harbor, he could not board them outside the harbor.

Mr. DAVIES. The hon. gentleman knows that they entered the harbor simply for the purpose of shelter, and that they would prosecute their fishing along the coasts and not in the harbor, and it seems to me that, if the captains of these cruisers were doing their duty, they would be following these fleets as they pursue the mackerel going along the coasts. Every experienced fisherman knows just where the mackerel will be at a certain time in a given month, whether they will be off Cape Breton, or off the north point of the island, or off the Magdalen Islands, or off the north-east coast of New Brunswick. I say that, if these cruisers had followed the fleets along the coast and had endeavored to keep them in sight and prevent their entering the fishing grounds, they would have been doing more effective service than they did by staying in the harbors and boarding vessels there. At least that is my humble judgment. I may be wrong, but it seems to me that they would have done more effective service in that way than by boarding the vessels in the harbors and ordering them out after twenty-four hours. Further, my judgment in that respect was borne out by the ultimate judgment of the Department of Marine, because, before the season was over, when complaints had been made, the Department directed these cruisers that they were not to remain in the harbor, and that they were not to go into the harbors except once a week. The remaining steamer to which I have not yet referred to was the *Acadia*, which boarded 43 vessels, every one of which was in the harbor. I may say to the hon. gentleman that this matter which I am bringing to the notice of the House is not a matter of party politics at all. It is simply a question of how we shall best carry out the protective service, whether by keeping our vessels in the harbors and ordering the American vessels out and preventing them from remaining more than twenty-four hours in the harbors, or whether we would not perform it more efficiently by keeping our vessels constantly cruising along with the fleet as they go from one point to another. My judgment is that it can be more efficiently done if we adopt

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the latter course. I will just read a short extract from the Government paper in the Province from which I come, to show that I am not presenting any party aspect of the case whatever, but I am voicing the general opinion of the people who live on the spot. On the 19th August the *Examiner*, the Government paper in that Province, in its leading article, says:

"The contention that the reports concerning the cruisers are due entirely to the desire of the Grits to make political capital is not true. We have heard some of the strongest supporters of the Government in this Province say that they have seen the United States seiners fishing within the three mile limit day after day—undisturbed by cruiser or Custom house officer. That the Grits are trying to make capital is no doubt true; and that they will succeed to some extent, if the people are not convinced that they are in error or if a change does not take place is certain."

About the same date an important meeting of fishermen, numbering over 400, was held at one of our fishing stations in Prince Edward Island, at which resolutions were passed, condemning the manner in which the cutters were carrying out their work. The resolution runs as follows:—

"Whereas, we have been led to believe that the Dominion Government had made ample preparations to protect our mackerel grounds from American poachers;

"And whereas, to our own knowledge during the past week, Americans have seined inside of the limit off here.

"Be it, therefore, resolved, That we—the fishermen of Miminigash—call upon our Government either to remove their sham cutters or compel their captains to do their duty."

Concerning this resolution, of course, hon. gentlemen, who are practical men, know that it may or may not have been stronger than the facts required. I merely give it as the resolution passed at a meeting of 400 fishermen, called, not by party men, but by men of both parties. On the same date the *Morning Herald*, of Halifax, published the following:—

"We have been shown a private letter from an officer on the cruiser *Houlett*, in which he says the *Houlett* was off Miminigash, P.E.I., the very day that 150 sail, two-thirds of whom were Yankees, were alleged to have been there. The actual number of fishing vessels in that locality that day was 44, of which 20 were Nova Scotia and P.E.I. crafts. Instead of fish being plenty, they were very scarce. Instead of being close inshore, the Yankees were four to six miles off shore, and, therefore, all outside the limit."

That was the answer to the resolution passed by the 400 fishermen. Well, a reporter of the *Halifax Herald* waited upon Admiral Scott and called his attention to this statement, that the fishing coasts of Prince Edward Island were not being protected by the cruisers; and in answer to a question of how much truth there was in the published statement that of 150 sail of fishermen off Miminigash, P.E.I., within the three-mile limit, two-thirds of them were Yankees, the gallant captain replied:

"That statement is absurd on the face of it; it is utterly untrue. It is made by persons who are poor judges of distances, who can't distinguish between a line two or four miles from the shore—men who are partisans, and who grossly exaggerate, if they do not actually invent the alleged facts for partisan purposes. These vessels didn't show their colors, and American and Nova Scotia fishing vessels are now so much alike that it is very difficult to distinguish between them."

Now, I presume the statements made by Capt. Scott to the reporter of the *Halifax Herald*, were similar to the official reports he made upon these facts to the Minister of Marine and Fisheries. I wish to remark that while Capt. Scott is very dogmatic, he could not possibly have a knowledge which justified him in making these assertions. He, was not there himself, he knew nothing of the facts, and therefore, when we give weight to his statement, it must be with a proper appreciation of the chances he had of forming a proper judgment. In reply to him a letter was published in the *Halifax Herald* from one of the strongest supporters of the Government in Prince Edward Island. After quoting the question put to Capt. Scott, and the answer which I have read, it states:

"Now, with all deference to Capt. Scott the report is true, is not tances two or four miles as Capt. Scott or the commander of any of the exaggerated, and is made by one who is as capable of judging of dis-

cruisers; and is made by a partisan, but one who has never cast a vote but for the Conservative party.

"I can also state that on Tuesday evening, the 10th inst., at 7 30 o'clock, I counted no less than one hundred and seventy-six sail of schooners from Seal Point, Lot 7, to Miminigash Reef. At least two-thirds of these were American, as there are not over fifty Nova Scotia and Prince Edward Island vessels in the bay now. These vessels were anchored within a mile of the shore. These facts I am prepared to swear to, and the meeting of about 400 fishermen at Miminigash, will bear them out.

"Yours,

"JOHN HUGHES."

Now, I quote this to show that these officials are very ready to give what would seem to be a plausible explanation, but the explanation given by Capt. Scott, when it is sifted, is found to be worth very little. He spoke dogmatically upon facts of which he could not possibly have had personal knowledge, and he is contradicted emphatically by gentlemen who were present, who saw the fishing fleet, and who told him that they were partisans only in the sense of being supporters of the Government, and who had never cast any votes but in favor of the Government in their life. I have a number of other extracts in the same line, but it is quite unnecessary to read them because the object which I had in view was to bring to the notice of the Minister of Marine and Fisheries this fact, that the people along the coasts believe that the cruisers last year did not make any attempt—or, at any rate, until later on, in the last part of the year, a very feeble attempt—to watch American vessels to prevent them from actually fishing within the three-mile limit; that they devoted nearly all their time to watching schooners when they entered the harbor, and to trying to prevent these schooners from committing breaches of the Customs law. I believe that more irritation was caused last year by the attempts of the officers to enforce the strict provisions of the Customs law than was desirable. I think that if the energies of the captains of these cruisers had been devoted to watching the vessels within the limits, and not been too strict in the enforcement of technical rules, which are of no very great practical importance, the object which we have in view would have been better attained, and there would have been less irritation to-day, and the bad feeling exhibited by so many of the American people would not exist. I am free to say that having read the correspondence published by this Government, I think a great deal of that irritation is unjustifiable; I am free to say that the facts which were described by Secretary Bayard were *ex parte* facts, reported by persons who were in many cases very hostile; and I am free to say that when explanations were given by the officers, they put a different color upon some of these facts. But it is not necessary, it is undesirable, I think, to go into detail, or even to express my opinion upon cases where I think the officers acted, at any rate in some cases, harshly, and beyond what was judicious and right. I simply content myself with submitting to the Minister that a different policy should be adopted this coming year, that we should have less boarding and enforcing of Customs laws in the harbors, and a more efficient protection of the coasts outside, so that the fishermen of the Maritime Provinces and the people generally will come to the conclusion that this service, which was not what many of them think that it ought to be last year will henceforth be a reality. I recognise fully the importance of that phase of the case which the Minister has enforced by memoranda so strongly, that we should protect our fisheries not only from Americans actually fishing there but protecting them in the sense of preventing Americans making our harbors the basis for their operations. I recognise the importance of that branch of the case; but that should be subordinated to the main feature of the protection service, which, I think, should be the guarding of the coasts so as to keep Americans out of the three mile limit. While I do not wish to put entirely out of view the importance of

guarding our harbors against being made the basis of operations for American fishermen, it should be subordinated, I say, to the other policy, that of protecting the general line of the coast and making harbor seizures a secondary consideration.

Mr. FLYNN. I can scarcely allow this item to pass without saying a few words in regard to the view propounded by the last speaker. It was simply this: That while we believe the treaty should be carried out in its entirety, still I believe during last season a great deal of unnecessary annoyance was given to American fishermen by the unnecessary exaction of Customs duties. Those fishermen, before the termination of the treaty, were in the habit of coming into our ports, and within twenty-four hours they reported. In the meantime they went on shore and did what they liked; but after the treaty was abrogated—last year I speak of—if they came in and landed without reporting to the Customs house, the vessel was liable to seizure. I will give an instance which occurred in the town of Arichat, which bears out the views of the last speaker. An American fishing vessel came in from sea. A great many of her crew belonged to Arichat. One of them, unfortunately, was drowned. The vessel was laden with fish, and the captain wished to land the effects of the drowned seaman. The vessel anchored between ten and eleven o'clock. As she was going to leave next morning some of the men landed to see their friends. Next morning the Custom house officer went on board and seized the vessel. He telegraphed the seizure to Ottawa, I understand, and the result was a fine of \$200 on the vessel. When the captain found that he had been fined he offered to give a draft on the owner in Provincetown. The collector refused to take the draft. The captain of the American vessel had no money and the collector had refused to take the draft. His vessel was lying there, detained at considerable expense. After some time he found a generous friend who advanced \$200 in order to relieve the vessel from its position.

Mr. FOSTER. Do you know the name of the vessel?

Mr. FLYNN. I forgot the name of the vessel, but I remember that the name of the captain was Kent. The captain gave \$200 cash to the collector of Customs, and, of course, when the vessel reached its destination in Provincetown, the money was remitted to the lender. The feeling in Gloucester and the eastern States naturally became high. While a good deal of irritation was aroused on this fishery question, it was intensified by such acts. What was the result of this case? On application by the owner to the Government at Ottawa, the fine was remitted, and the owners received back their \$200. Here, then, the captain was wrongly detained, and, in proof of that fact, was the further fact that the money was afterwards refunded. While I believe it is the duty of the Government to rigidly and on every point enforce the treaty, I quite agree with the hon. member for Prince Edward Island (Mr. Davies) that those petty Customs exactions should be carefully made by those who administer the law. American vessels were formerly in the habit of visiting our ports. They were not seized by the Customs officer, and if the crew landed a vessel was not subject to seizure. When the vessels came last year they thought that so long as they did not attempt to violate the Customs laws and land any goods they would not violate the treaty. Here is a further fact. This generous American captain, knowing that the drowned seaman had a large family, was willing to make a present to his widow of flour and other goods, but the Custom house officer would not permit it. I draw the attention of the Minister of Customs to these facts, for it is desirable that instructions be given to the officers at the different ports of the Maritime Provinces, that a more generous construction of our Customs laws should be given in regard to American vessels.

Mr. EISENHAUER. In my opinion, the Department has shown harsh treatment, not only to American vessels but to our own vessels, and I will refer to one or two cases in point. One of our schooners happened to loan two barrels of salt to an American schooner the year previous to the abrogation of the treaty. The following year the captain called with the same American vessel and returned two barrels of salt. The vessel was seized for that offence, which was interpreted to be a violation of the Customs Act. After considerable time had elapsed, a portion of the fine was returned. Again, last year the same schooner happened to fall in with an American schooner, 12 miles off land. The American schooner was short of provisions, bound on her way home, and she bought some from the Canadian vessel. Yet the collector of the port seized the vessel and called upon it to pay a fine of \$400. I took the trouble to obtain the affidavit of the captain that he was 12 miles from land, and I waited for some time to get the decision of the Department, and to my surprise after waiting nearly two months I was told that the burden of proof fell upon the owner. I was told there was no affidavit submitted to the Department. This seemed a very strange circumstance, indeed—I handed that affidavit to the Commissioner with my own hand, and yet I was afterwards told that there was no affidavit. I think under the circumstances that the fine should be returned. I find by the instructions given to captains of cruisers this year that their instructions are to do everything they did last year, if I read the instructions aright. I do not know what the decision of the Department in the latter case was; but in the first case, in which the Government retained part of the fine, \$100, there was certainly harsh treatment, especially as this was one of our own vessels.

Mr. JONES. It was natural that a vote of this kind should invite a good deal of discussion, because this is the only occasion this Session when this question regarding our fisheries has been brought properly before the House. It was natural, because this is a subject of so much interest to the country, that it is desirable in the interest of the Dominion that the fullest information should be obtained from the Government, and the whole question discussed in a fair and candid spirit. My only cause of complaint against the present Administration is, as indicated by the hon. member for Queen's, P. E. I., (Mr. Davies), is their failure to negotiate with the Americans before the treaty expired. It would appear, from all the circumstances which have since transpired, that the Americans were under the impression that we would not enter into negotiations with them unless on the basis of the old treaty, that is to say unless there was a clause in the new treaty providing that a money compensation was to be given, as under the Washington Treaty. I am not going to offer any opinion on that subject, nor do I desire to say anything now which would prejudice the position of the Government with regard to the important negotiations which they have in hand. But I do think if the Government had been in a position to have informed the American Government, in an indirect way, that it was possible or probable that a new basis of treaty might be arranged, a good deal of the difficulty might have been removed, and the cause of the present irritation might have been avoided. I desire to say nothing which would embarrass the Government, because I recognise the difficulty in dealing with a subject of such great importance. I have, on all occasions, sustained the Government in the position they took in regard to the defence of our fisheries. Before the Government sent their cruisers into our waters, I was interviewed by the correspondent of an American paper, who wished to ascertain the views we held in Nova Scotia with regard to the course which should be adopted. I was referring to the renewal of the treaty and the desir-

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ability of having a treaty which would be fair to both countries, and then I went on to say:

"Should the American Government, however, decide against negotiating a new treaty we must, of course, maintain our rights. To be driven to this would, I consider, be a national misfortune to both countries. If we have rights, which the Americans themselves, by their own estimate, have valued at \$15,000 or \$25,000 a day at one single point of our extensive fishing coast, it will be the duty of our Government to see that those rights are maintained and respected. Nothing but mutual concession, and a determination on the part of both Governments to avoid cause for open disagreement, can prevent the most irritating consequences, and our present friendly relations might be strained to a degree that would scarcely bear further tension. An eminent American statesman is reported to have said in Congress that our geographical position placed us under bonds to keep the peace. This may be true or it may not. We think it is not, if the power and prestige of England is to count for anything in the discussion. There is no man with any responsibility who would not deprecate and deeply regret serious disagreement with our neighbors, but if we have rights they must be defended, if assailed, if we would preserve our own self respect or the respect of the world."

Now, those were the views which I entertained before the Government sent their cruisers into our waters, and I think that the Government adopted a very proper course with regard to guarding our line of sea coast against the encroachments of the American fishermen. In regard to the treaty, I think it is very undesirable that here or elsewhere any expressions of opinions should be given as to the great desirability or necessity of a treaty with the United States. Shortly after the treaty expired there was a meeting held in the Chamber of Commerce in Halifax, when a resolution was moved calling on the Government to take immediate steps to renew a reciprocity treaty. On that occasion I said I thought that, while it was so well known throughout this country that our people were anxious for the renewal of the Reciprocity Treaty on equal terms, it was not wise or judicious that we should publish to the world, from every commercial standpoint, the opinions we entertained on that subject. I am aware that that expression of mine was quoted on a recent political occasion in my own Province, but I expressed it there in the same sense in which I would express it here, because I believe the Government, recognising their responsibility in dealing with a matter of so much importance, would be freer to act on behalf of our country, if there was not brought to bear, from the other side, expressions of opinion from our own people that we could not live or prosper without trade relations with that country. I remember that, during the sitting of the Washington Commission at Halifax, when the American case was presented to that Commission, the largest part of the case consisted of quotations from the speeches of the present Minister of Finance and the leader of the Administration, showing the advantages we would derive from the Washington Treaty; and, therefore, I thought it was unwise on the part of any public man to put words in the mouths of American statesmen which might be used against us in any future negotiations. Now, Sir, the question regarding the work which has been done is fairly a matter for difference of opinion. I do not mean to say that the cruisers may not, on the whole, have fairly discharged their work, but there has been very considerable complaint from various parts of the Provinces that these vessels have remained in port at times when they should have been at sea. I do not speak from any personal knowledge; I only gather my information from sources such as are open to the hon. gentleman himself; but I noticed, no longer ago than yesterday, a dispatch from Halifax which was published in the *Ottawa Free Press*, and which will bear out that contention. The dispatch is under the heading: "Where are the Cruisers? Americans fishing within a mile of the Cape Breton shore."

"HALIFAX, N. S., 16th June.—(Special.)

"Advices from the Cape Breton coast state that the shore is swarming with American fishermen who are taking mackerel far within the three-mile limit. There are not half enough cruisers to watch them. Twenty Americans were fishing away a short distance from Neil's Harbor, C. B., yesterday. The steam cruiser *Acadia* has gone to swoop down on them.

I saw a somewhat similar statement made at various times this year, and it would almost appear as if the Government had given the captains of those cruisers instructions not to be so vigorous in the prosecution of their duty as they seem to have been last year. Of course, I am not aware that such instructions have been given; but if those statements are correct it would appear that this year, up to the present time, they have not been as anxious to keep the Americans from our coast as during the previous year. Now, the question of the renewal of the treaty may come up before this House is again called upon to express an opinion, and I would take this opportunity of bringing to the attention of the Government some very important matters which will have to be considered in that regard, when those negotiations are entertained. For instance, there is the question with regard to the right of fishing on our coast, which the Americans claim they had under the treaty, as differing from our own fishermen. Our own fishermen are governed by our local law, and there are certain times when they cannot fish. There are certain places where they cannot put their nets; but the Americans claim as in the case of the Fortune Bay difficulty, that the treaty between Great Britain and the United States took the precedence over all local legislation, and consequently they could fish wherever and whenever they liked. The hon. gentleman is aware that this led to the difficulty at Fortune Bay, in Newfoundland, when the Americans took bait there at a time when the Newfoundland people could not set their nets, and those of the Americans were destroyed, resulting in a claim put in by the American Government for \$25,000 for one day's bait fishing, and their claim was paid by the British Government, \$15,000, at a subsequent date. The American fishermen should have no advantage in this respect over our own fishermen. There is another matter which I would also refer to, and that is the question of bait so far as the French fishermen are concerned. The House is aware that the Government of Newfoundland passed a Bill prohibiting the selling of bait in Newfoundland to the French fishermen. That Bill was refused at first by the British Government, but, subsequently, it was approved of, to take effect next year. Therefore, next spring the French fishermen will be unable to secure bait in Newfoundland to the extent to which they have been in the habit of securing it heretofore, and I am informed that the French fishermen are already looking to Nova Scotia as a field for supplying them with the bait which will be denied to them next spring by the action of the Newfoundland Government. Therefore, I would suggest to the hon. Minister that he should take some authority from this House before the Session is closed, for placing the French fishermen in the same position with regard to bait as the American fishermen are in under the laws of this Dominion to-day. We know that the Americans value this privilege very highly, and it is one of the most important factors in the success of their fisheries. I am discussing this subject free from all party bias at all. I am merely giving the hon. gentleman the result of such information as I have been able to collect on the subject, and drawing his attention to some points which may be worthy of his consideration if an opportunity arises for negotiating a new treaty with the United States.

Mr. ELLIS. The hon. member for Queen's (Mr. Davies) has referred to the report on the fisheries which has been brought down to the House. It appears to me that that report, after having passed through the hands of the printer, suffered from mutilation by somebody. It is quite possible that the report from Capt. Scott was printed, and was torn from the book, because I observe that the last page of the book is missing, and the reports of all the officers are there, signed, except that of Capt. Scott. Now, I would like to see the public opinion of this country take a somewhat different

direction from what it has taken in reference to the fishery question. I never agreed with the right hon. gentleman at the head of the Government but once, and that was in 1871, when I was entirely at variance with my party in regard to the treaty he negotiated at that time. I believe that in making arrangements with foreign countries, we have to make the best terms with them that we can. The right hon. gentleman did that, and I was glad to give him my support, and I was glad also to see that the Conservatives of my Province came to agree with me. Of course, I have been charged sometimes with being too friendly towards the Americans, but I believe my view was in the public interest. None of the hon. gentlemen who have spoken this afternoon have touched on the main point at issue at the present time. I apprehend, from reading the papers, that the gravest question that can affect the future of this country is before the country to-day in connection with the fisheries. I find fault with the Government for the extreme course they have taken to protect the fisheries. I presume that they have been driven to that course by the expression of feeling in the Maritime Provinces, in regard to the rights of the fishermen of Canada. It is well known that there is a difference of opinion as to the construction of the treaty of 1818—that the Americans take one view and our people another. The Government have endeavored to enforce the very stringent Canadian view, while the Americans contend that outside of the Treaty altogether there have grown up a series of commercial rights between the two countries with regard to the exchange of products, and that, therefore, leaving out the question what particular rights they have under the treaty, we are doing them an injury, and bringing upon ourselves serious difficulties by refusing to the fishermen of the United States commercial rights in our ports, such as, for instance, the selling of bait and the purchase of coal and other articles. I can, perhaps, join in the compliments to the Minister of Justice on the able way in which he has prepared his papers; but, as one leading London newspaper remarks, it is not, after all, legal arguments which will settle this diplomatic business. I observe, however, in one of the papers which he has put before the country, he lays down the principle that the point at issue is, that we should not sell bait, or anything else, to the Americans to enable them to carry on the deep sea fisheries. I do not believe that is a position that we can maintain. The Minister of Finance recently took off the duty on American coal to encourage the manufacture of Canadian iron in this country. The Americans might turn around on us and refuse to sell us any hard coal because we use it in our fishery protecting steamers. Therefore, I think, we shall have to come to the point of regarding the selling of bait, or the selling of coal, as commercial rights which we shall have to allow to the American people. If we do not, what are we face to face with? The Congress of the United States has passed a retaliatory bill, and the President of the United States can at any moment, if he deems it justifiable, put it into effect. What does it mean? The hon. Minister of Finance says there is a silver lining to the cloud that hangs over the country. I say there is none. It is one of the darkest clouds that threatens the country—the interruption of our commercial relations with the United States. Nothing at all could compensate for the breaking up of those relations. I observe, of late, that there is a disposition on the part of the British Government to say that we have gone too far, at any rate far enough. I regret that the Government did not deem it advisable to bring down one of the most important despatches sent to them, the despatch of the 27th of Decr., in which the Colonial Office advised the Canadian Government to be careful with reference to its proceedings. It is quite true, it is referred to in a Minute of Council of the Government; but they have not put that despatch in their book. I observe, further, that the Americans made a proposal contain-

ing five articles with reference to the settlement of this question. Special negotiations have been going on. The Government of Canada, so far as I can make out, is not willing to accept article three; but I observe the British Government telegraphed on the 8th of March the Canadian Government that they were prepared to accept article three with some modification.

An hon. MEMBER. Carried.

Mr. MITCHELL. I think we have the right to ask that hon. gentlemen on the other side should allow the hon. gentleman, the member for St. John (Mr. Ellis), to state his case. He is doing it in a proper manner, and is giving information Parliament ought to have.

Mr. ELLIS. What I was proceeding to say was that, on the 8th March, the British Government telegraphed the Canadian Government that they were prepared to accept article three; that is the article providing that an American ship and a British ship shall be sent to these waters to exercise joint control, but they would only accept it subject to the alternative that, in case of difference of opinion with regard to a seizure, instead of an umpire being chosen, as provided in the article, the vessel seized should be sent to Halifax for adjudication. I observe that is in the British papers, but is not in the Canadian return. I only call attention to this to show that the opinion of the British Government is that we have gone far enough, and it seems to me that we ought to face the situation fairly. There is no use, on the one hand, of maintaining the opinion that these fisheries must be protected to the extreme extent of our interpretation of a treaty which is in dispute; and, on the other hand, we must admit that we have a great deal to gain by extended commercial relations with the United States. Of course, we want to have our fisheries protected against American fishermen, within the three-mile limit; but it is absurd for us to insist on standing by the clause of a treaty, made seventy years ago, which excludes American vessels coming into our ports for the purpose of purchasing bait and coal. It is evident that our Government, backed by the public opinion of Canada and relying on the public feeling of the Mother Country, has gone too far, and that the British Government is now backing down, in view of the strong pressure brought to bear upon it by the Government of the United States. The conclusion I draw from this state of affairs is, that it would be far better if the Dominion had control of its own affairs entirely. If such were the case we would not, on the one hand, have gone to the extreme course to which we have gone in this matter; and then, on the other hand, we would not be likely to be let down so easily. We have acted on the assumption that we could force the United States to make a treaty. That time has passed. No one who reads the debates on the Retaliatory Bill in Congress can fail to come to the conclusion that, whatever is to be done in that view, must be done simply by means of commercial relations alone. There is no use in our attempting to make a further treaty. I advert particularly to the remarks in the Senate on 25th February in the debate on a resolution offered by Senator Hoar, that, under present circumstances, no negotiations should be undertaken with Great Britain in regard to existing difficulties with the Provinces of Canada, which has for its object the reduction, change or abolition of any of our existing duties on imports:

"Mr. Morrell expressed doubts as to the rights to make treaties which would not include the most favored nations, and objected to a treaty with Canada, inasmuch as the privileges given to her would have to be given to England. Therefore, any possible treaty of advantage with Canada will be out of the question.

"Senator Hoar said: There are a great many persons who suppose that our existing difficulties with Canada, growing out of their treatment of Massachusetts and Maine fishermen, are occasioned by a desire on our part to intrude ourselves into the waters adjacent to those shores for the purpose of obtaining fish. There is no such desire on the part of any number of American citizens.

Mr. ELLIS.

These difficulties are created for the purpose of compelling us to open our ports to Canadian fishermen; and within a few days there has been an election in Canada which has resulted in the support of the Premier, Sir John Macdonald, and he has declared, in a speech made since the election, that the significance of that election was a confidence in his policy, that his policy was to compel the United States to open her markets, and that if he persisted in it, the Canadian people might confide in him, and that that result should be accomplished. Now, Mr. President, I say again, I challenge any contradiction here in the presence of the Senate, that I do not believe there is a single senator in this body, on either side of the Chamber, whether he favors reciprocity treaties or not, in general, who will not indignantly spurn the notion that the United States will change, alter, repeal or in any degree modify by a hair's breadth her domestic legislation on the subject of duties upon imports as a means of settling a controversy growing out of such a threat, or as a means of buying peace for the American fishermen or respect to the American flag in foreign waters. If there is any senator who will controvert that statement, I ask him respectfully to do it now, and I will pause for that purpose—(a pause)—No senator undertakes that, and I therefore feel entirely justified in affirming and in asking the authorities of Canada, and the authorities of Great Britain, who take heed of the declaration made in the Senate of the United States on this subject, to take it for granted that it is absolutely impossible to be expected by any sane or sensible man that there is to be any repeal or modification or change in any duty upon American imports as the result of the present difficulties or the result of the regulations which may compose them."

I feel that the country, that the people of the Maritime Provinces ought to endeavor to take a common sense basis on this question. It is to be regretted that the matter has reached the position it has, but we will have to face that situation of affairs. We will have to endeavor to do the best we can, and I would respectfully suggest to the Government that it would be far better for it to take the House into its confidence and state the exact position of affairs. It is well known that the hon. the Minister of Finance went to Washington during the last recess, and it was well understood that he would not be received by the American authorities, because he had no power to negotiate on the question at all. That statement has been made in the New York papers, and it has not been denied. Whither are we going? What is to be the result? I do not rise for the purpose of blaming the Government, but to call the attention of the House to the situation, and to ask hon. gentlemen opposite, who are so very anxious to act hastily in this matter without calculating the result, to consider whether it is not time we should take a different view of the whole situation.

Sir RICHARD CARTWRIGHT. I think the First Minister, if he possibly can, ought to avail himself of this occasion to inform the House and the country of the position in which these negotiations are. He is aware that, whether rightly or wrongly—and, certainly, in my opinion, wrongly—the President of the United States used very strong language, indeed, as to the strain upon the relations between Canada and the United States, caused by last year's proceedings. The hon. gentleman will understand that I do not at all blame the Government for what they have done, but it is a matter of very grave moment that Mr. Cleveland should have felt himself justified in using the language he did. Since that time he has been armed with very extraordinary powers, which, as I understand the case, he may put in motion at any moment. We have also had some despatches from the Home Government in which Lord Salisbury made several very important suggestions to the Canadian Government. I think, without trespassing on diplomatic reticence, that it is very desirable, indeed, the First Minister should inform the country of the position in which the matter stands; and this moment, when we are voting \$125,000 for the protection of our fisheries, appears to be the proper time for making that request.

Sir JOHN A. MACDONALD. There can be no objection, certainly, to the hon. gentleman making that request. It is a matter of great interest to Canada, of course. The hon. member for Queen's, P.E.I. (Mr. Davies), was good enough to say that he had read the correspondence and the despatches which had passed between the two Gov-

ernments, and that he could not disapprove of the position taken by the Government of Canada. We stood simply on our rights. We stood simply on the Convention of 1818. We stated, and we hold to it, that the change of years and the commercial treaties that had been made between England and the United States did not, and could not in any way, in the most remote degree, affect the terms of the Convention of 1818. That Convention was made with due deliberation, as a matter of mutual concession, and in which a good deal was given to the United States, as well as something given up by England. It was a bargain with consideration on both sides. We hold to that, and we hold, further, that the contention that it has been in any way altered or given up, or that it could be altered, or could in any way be denounced, to use the diplomatic phrase, is out of the question. It could not be, and I have no doubt it will not be; and the United States, in 1854, and again in 1871, have recognised the existence of that treaty; they have recognised it in expressed terms, as hon. gentlemen will see by looking at the Treaty of Washington. We hold that, in watching our waters, we are only defending our rights; and, indeed, we may go still further, and we do contend that, if there was no convention, we are an independent country, independent of the United States, and that it is understood that every country has a territorial jurisdiction and control in every way, administrative, executive and legislative, over the in-shore, over the three miles; that it is necessary to the independence of Canada as a portion of the British Empire, and, therefore, there can be no compromise on that point. There are only two questions on which there can be any contention. The first is the headlands question, which we are all acquainted with. We all know what that means. We adhere to the position taken by the British Government from the time of Lord Bathurst until now—that the three miles is to be taken from the headlands and not from the sinuosities of the bays. I believe that all the constitutional writers in the United States, dealing with that question in the abstract, agree with us.

Mr. MILLS (Bothwell). And the courts.

Sir JOHN A. MACDONALD. And the courts, as my hon. friend says—both as to the Chesapeake and the Delaware bays—there can be little doubt about that.

Mr. MITCHELL. And these several States do the same thing.

Sir JOHN A. MACDONALD. These several States contend that they have their rights within the bays. Then the only other question is as to bait; whether under the treaty the American fishermen cannot enter into our harbors as traders, and purchase bait and deal generally as traders. We have taken the position that a fishing vessel is one thing and a trading vessel another, and that a trading vessel cannot, simply by getting a trading permit from an American collector, change its character and be a fishing vessel when it likes and a trading vessel when it likes. We hold that on that question of bait, holding to the decision of Chief Justice Young, the fishermen have no right to come in and make Canada or any portion of Canada the base of their fishing operations, by which, while we are excluded from the American market, they are to supply the American market and keep us out through being able to supply the demand themselves. There is no doubt in my mind that on that point too, we are in the right. I am glad to say that Her Majesty's Government have fully sustained us. There has not been the slightest degree of expression of a disinclination to sustain the legal rights of Canada. In the meanwhile correspondence has been going on of which we are duly informed. I do not think there has been a single step taken, nor do I believe there will be a single step taken at Washington by Her Majesty's Government, without consul-

tation and conference with the Canadian Government, and I may say further without our assent. At all events, hitherto there has been no step taken without our assent. I think it would not be well that I should go any further in speaking of this matter. I believe that the Government of the United States are friendly in the best sense of the word. Of course, a democratic Government of this kind depending very much—every four years, at all events—upon the popular voice, is obliged, perhaps, to take courses not so direct as governments which are otherwise situated; but I believe that the Government of President Cleveland is exceedingly friendly to Canada, is exceedingly friendly to extending the commercial relations with Canada, and I can only say that the Canadian Government, as advised by us, is doing all it can to foster that feeling and to expedite the time when we may hope, perhaps, that there may be enlarged commercial relations between Canada and the United States.

Mr. JONES. Is the hon. gentleman in a position to inform the House whether any answer has yet been received to Lord Salisbury's despatch?

Sir JOHN A. MACDONALD. I am not in a position to state that.

Mr. MITCHELL. I have just a word to say on this matter, and I say it now because I think this is a discussion in which quite enough has been said in the interest of Canada. I may not agree in every particular in the conclusions to which the right hon. gentleman has arrived, though I agree with him in the main. In some small particulars I cannot agree with him, but it is certain that it is in the interests of this country to maintain the most cordial and friendly relations with our neighbors in the United States. I think the interests both of Canada and of the United States call for the maintenance of those friendly relations, and at the same time for the maintenance of our rights. I think the Minister, under whose responsibility this matter is principally carried out, ought to give instructions to his officials to avoid these irritating circumstances which characterised the seizures of last year. I will not refer to them individually, because some are before the courts, and I think it would be unwise to discuss them further. I think the statement of the right hon. gentleman ought to satisfy the House, and for my part I shall be satisfied to let it rest where it is, leaving it to the Government to deal with it to the best of their ability and on their responsibility, and afterwards we may discuss their action if there is anything to find fault with.

Mr. FOSTER. I desire to say a word or two in reference to the remarks of the hon. member for Queen's, P.E.I. (Mr. Davies). The chief fault he found was that the cruisers confined themselves to the harbors and to boarding vessels in the harbors. I wish to state, in reference to that, that the instructions given to the fishery cruisers were explicit from the first, and were not altered from first to last, that it was their duty to keep cruising on their various beats, and to keep out of harbors as much as the weather, or the necessity for obtaining supplies, would allow them to do. So long as they were outside of a harbor and following up a fishing fleet, as it was their duty to do, they could not board United States fishing vessels outside the three-mile limit. These vessels, of course, would not be within the limit when the cruisers were near and could not, therefore, be boarded, and when they came within the harbor they were followed there by our cruisers, and they were boarded in the harbor and just off the harbor, and when boarded off the harbor they were put down in their books as with reference to the harbor. I think that fully explains it, and if my hon. friend will read the log of the *Acadia* and the log of the *Lansdowne*, he will find there, detailed, day after day, the course taken by these two vessels; and if I had brought down the logs of the cruisers the same would have been shown. First, then, I wish to say that it was their duty, and they performed it,

as the records in my office show, to keep continually upon the cruise; secondly, it was their duty to keep vessels outside the three-mile limit. My hon. friend seems to think there was a failure, because there were only three seizures. It would have been still better had there been no seizure at all. It was the object of our cruisers to keep American fishing vessels from fishing inside our limits, and it would have been a happy thing if they had been able to do it without being obliged to make a single seizure. We have thousands of miles of coast along which mackerel trend; it is impossible to undertake to have a vessel at every particular point, at every particular time, and, consequently, it will happen that foreign vessels will sometimes find their way into the grounds in spite of our cruisers. But they have been diligent in cruising. I think there is no shadow of doubt about that. Newspaper reports do not always count for true, and these notices that come from various points, these rumors as to the vessels not being near, and as to United States fishing vessels being within the limit, are almost always unreliable and untrustworthy, and should not be taken as against the records of our officers, which are shown in the Department. Take the very case of which my hon. friend has spoken, that at Miminigash. I think, if I remember rightly, that the very day on which it was reported there were so many sail of American vessels fishing off Miminigash within three miles of the coast, the *Houlett* was upon that very part of the coast, and Capt. Lorway gives his statement which entirely contradicts the statement made by the newspapers. I will cite another instance that occurred. A telegram came to me from a certain point that a certain number of American vessels were fishing within the three-mile limit. We had it investigated at once, and it was found that they were not United States fishermen at all, but proved to be Nova Scotia fishermen. If my hon. friend will turn to page 147 of the Fishery Report, he will find what Mr. Duvar says with reference to those cruisers. Mr. Duvar sent out a circular to all the keepers of lights and overseers of fisheries around the whole coast of Prince Edward Island, giving them a number of questions with reference to this, and asking their answers. He has collected those answers, and the document is in the office, and I have an abstract of it here. My hon. friend from Halifax said he was afraid that owing to these newspaper reports we had ordered our cruisers this year not to be active in the pursuit of trespassing vessels. That is not so, the orders have not been changed, and they are being correctly carried out.

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

After Recess.

PONTIAC PACIFIC JUNCTION RAILWAY CO.

Mr. BRYSON moved that the House resolve itself into Committee on Bill (No. 102) to amend the Act respecting the Pontiac Pacific Junction Railway Company.

Motion agreed to, and House resolved itself into Committee.

(In the Committee).

Mr. WHITE (Renfrew). I wish to say a word or two with reference to the first clause, and the powers asked for therein. The Committee will observe that it is provided in this clause that the company shall have full authority, in addition to the power which at present exists, of constructing a line of railway to the town of Pembroke, to cross the Ottawa River at Allumette Island; and it would be necessary, for the purposes of my argument, to show the power that was granted to the company in its original Act of incorporation, which gave them power to cross the Ottawa River. The Act of incorporation was passed in 1880. The clause is this:

Mr. FOSTER.

"The said company and their agents and servants may lay out and construct and finish a line of railway of a gauge of 4 feet 8½ inches from a point on the line of the Quebec, Montreal, Ottawa and Occidental Railway, at or near the city of Hull, or the village of Aylmer, to such point in the county of Pontiac as may be found most suitable for crossing the Ottawa River."

I wish particularly to draw the attention of the Committee to this clause:

"Such point in the county of Pontiac as may be found most suitable for crossing the Ottawa River, and then through the Province of Ontario to some point at or near the town of Pembroke, which may be selected to connect the railway with the Canada Central Railway, either to the east or the west, in the said town of Pembroke."

Now, if this additional power given in this clause means anything, it means that the company will be empowered to cross the Ottawa River in the county of Pontiac, because I may say to you, Mr. Chairman, that Allumette Island lies wholly within the county of Pontiac, at some place that is not the most suitable for crossing into the Province of Ontario. I hold that is the meaning of the power which is proposed to be conferred upon this company by this clause, and in view of that fact I think it will be necessary for me to say a word or two in reference to what has been shown, both by the action of the company itself and by the action of the Legislature of the Province of Quebec, as to what has been considered to be the most suitable point for crossing the Ottawa River. It is, perhaps, necessary for me to draw attention to the fact that in 1875, the Quebec Legislature passed an Act authorising the Government of the Province to construct a Government railway, and the first clause of that Act reads thus:

"There shall be a railway constructed, commencing at the port of Quebec, and extending from deep water in said port *via* Montreal, to such point in the county of Pontiac as may be most suitable for connecting hereafter the said railway with the subsidised portion of the Canada Central Railway, and with any other railway."

Under the provisions of that Act work was proceeded with by the Government of the Province of Quebec and the railway was constructed as far as Ottawa, I think in 1879. At all events, during the Session of 1879 the Government of the Province of Quebec applied to this Parliament for power to construct a bridge at the city of Ottawa; and they obtained that power, and the bridge was constructed and connection made with the Canada Central, but not with the subsidised portion referred to in this Act at Ottawa, the subsidised portion commencing at a point much further west. In 1880 the Pontiac Railway Company obtained an Act of incorporation, the empowering clause of which I have just read to the Committee; and the Government of the Province of Quebec having formed their connection, having carried that road into Ontario at Ottawa, practically abandoned the construction of the road west of the village of Aylmer. I say they practically abandoned it, because, in 1881, very shortly after the passage of the Act incorporating the Pontiac Pacific Junction Railway Company, the Local Legislature of Quebec passed an Act in which they gave the Lieutenant Governor the following power:—

"The Lieutenant Governor in Council, in lieu of constructing that portion of the Quebec, Montreal, Ottawa and Occidental Railway between the village of Aylmer and that portion of the Pontiac Pacific Junction Railway, to connect the same with the subsidised portion of the Canada Central Railway, may guarantee a bonus not exceeding \$6,000 per mile, for a length not exceeding 851 miles, for each mile the company shall construct between Aylmer and Hull and the town of Pembroke."

There the Legislature of the Province of Quebec admit that it was not their intention to carry on the construction of the road beyond Aylmer, but in lieu they grant this bonus of \$6,000 per mile to the Pontiac Pacific Railway. Sometime after that the railway company applied to the Government of Quebec for an allotment of that bonus, and an Order in Council was passed on 6th February, 1882, approved 8th February, 1882, allotting this subsidy of \$6,000 per mile to the Pontiac Pacific Railway. It was deemed by the share-

holders of that company more advantageous to them to avail themselves of that provision which exists in the Quebec law of converting the subsidy provided into a guarantee of interest of bonds than to claim the \$6,000 per mile in cash, and an application was made to the Government, shortly after the passing of this Order in Council, asking them to make the conversion which the Government had a right to do by the Act of the Local Legislature passed in 1875. I propose to show that, in the opinion of the railway company themselves, and of the Government of the Province of Quebec, the point at which the company has asked power to cross the Ottawa was not the point most suitable to cross the river into the Province of Ontario. I shall be able to show that from the action both of the company and of the Government. The company, at a meeting of the directors held in Ottawa on 11th April, 1882, resolved :

"In the location and construction of the said Pontiac Pacific Junction Railway, from a point at the crossing of the Ottawa River, in the county of Lanark, near the confluence of the Coulonge with the Ottawa, in the township of Mansfield."

That is a point considerably east of where it is now proposed, under this amending Act, to cross the Ottawa River, and in the opinion of the company that was the most suitable point at which the Ottawa could be crossed. Not only was it the opinion of the company, but I shall be able to show by the Order in Council which was passed by the Local Government at Quebec, converting the subsidy of \$6,000 per mile into a guarantee of interest upon the bonds of the company, that they held the same opinion. This Order in Council, to which I refer, was dated on 8th April, 1882, and received the assent of the Lieutenant Governor in Council on 9th April, 1882. In the Order in Council this fact is recited :

"That whereas the said Pontiac Pacific Junction Railway, at a meeting of the directors, held in the city of Ottawa on 11th April, 1882, resolved, that in the location and construction of the said Pontiac Pacific Junction Railway, the point of crossing the Ottawa River, in the county of Pontiac, be near the confluence of the Coulonge with the Ottawa, in the township of Mansfield, which point of crossing is hereby approved."

And then it goes on to recite the terms upon which the subsidy has been converted into a guarantee of interest upon the bonds of the company. So the Committee will see that on 18th April, 1882, the Government of the Province of Quebec also deemed that point the most suitable one for crossing into Ontario. But in addition to that, let me say that after some considerable time the railway company, finding that they were unable to dispose of their bonds as advantageously as they thought they would be able to do, with the guarantee of interest of the Local Government of Quebec on those bonds, found it desirable, in their interest, to have the guarantee of interest reconverted into the original cash subsidy. An application was made to the Government of Quebec to so reconvert the subsidy allotted to them, and I find that, on 5th July, 1884, an Order in Council was passed, approved by the Lieutenant Governor on 7th July, 1882, which recites as follows :—

"The hon. Commissioner of Railways in the report of 3rd July, 1884, sets forth that in the Order in Council of 9th April, 1882, a subsidy of \$6,000 per mile granted the Pontiac Pacific Junction Railway by Order in Council of 18th February, 1882, was converted at the request of the railway company, with a guarantee of interest on issue of bonds for \$20,000 per mile, that the company has not made the contemplated issue, on the contrary the converted subsidy for payment into a guarantee of interest was never acted on; that the company have requested the Lieutenant-Governor to revoke the order converting the subsidy into a guarantee of interest and be authorised that the matter be replaced in the same state as before such order was passed."

Then the order goes on to say :

"The hon. Commissioner, therefore, recommends that the Order No. 107, of 9th April, 1882, be revoked to the end that the subsidy be payable in money, it being, however, understood, that the revocation shall in no way affect the resolution adopted by the railway company, that in the location and construction of the Pontiac Pacific Junction Railway the point of crossing the Ottawa River shall be near the confluence of the Coulonge and the Ottawa, and in the township of Mansfield."

There the Committee will observe that first, the railway company declared that to be the point which, in their opinion, was most suitable for the crossing of the Ottawa River and, second, the Government of Quebec in their Order in Council approved of that provision, and thereby declared that, in their opinion, it was the most suitable point for the crossing. But, in addition to those facts, I believe it will be admitted by those promoting this Bill that the crossing proposed, Allumette Island—although that is a very indefinite term, as the island is 14 miles in length, and it is impossible to tell at what point they propose to cross the river on that island or in its vicinity,—but taking the most favorable point the Allumette Rapids, it is admitted by the promoters of the Bill themselves, or, at all events, it is reported by Mr. Peterson, an engineer of considerable eminence, that crossing at that point would lengthen the railway by some 6 miles, and that it would entail an extra expenditure over the cost at the point fixed by the resolution of the directors of the railway company, and approved by the Government of the Province of Quebec, of over \$300,000. So you will see that, in addition to the extra cost of constructing the road, there would be the extra cost of operating some six miles of railway for all time to come. I think, under those circumstances, I am justified in saying that the point at which the company asked power to cross the Ottawa River is not the most suitable point to cross, and is not in accordance with the terms of the original Act of incorporation. I do not know what arguments will be adduced here tonight in support of this proposition, but in another place where this Bill was under consideration—if I am permitted to make reference to the discussion which took place in the Committee on Railways and Canals—it was urged by one of the gentlemen who supported this Bill that it would be in the interest of the Province of Quebec that this road should be extended to the point to which it is proposed to extend it by the clause which is now under consideration. I would like, however, to draw the attention of my hon. friends from the Province of Quebec to the fact that, in addition to the powers which were granted under the original incorporation, this Bill—and I do not propose to take any exception to that portion of the clause—provides for the extension of a line on the north shore, through the whole length of the county of Pontiac, beyond any point to which continuous settlement has reached up to the present time. So, I think I am in the judgment of the House when I say that, in asking the Committee to fix the point of crossing—if they fix it at all—at the place that was originally fixed by the directors of the company, and approved of by the Government of the Province of Quebec, and which, in the opinion of those gentlemen—and that opinion has not been controverted so far—was the most suitable point to cross into the Province of Ontario, the interest of the Province of Quebec will be in no wise injured, because it is proposed by this Bill to extend the road as far up through the Province of Quebec as the mouth of the Mattawa. Without saying anything further on this subject at present, I would ask the Committee to amend this clause; and, inasmuch as I do not believe that the power to cross at this point, not being the most suitable point, ought to be conferred on the company, if it does not exist in the original charter, I would move :

That the clause be amended by striking out the words "at Allumette Island" and substituting therefor "near the confluence of the Coulonge with the Ottawa River, in township of Mansfield."

Mr. BRYSON. As this is a matter which materially affects my constituents, I think I may fairly crave the indulgence of the House for a few minutes, while I set forth my views from my standpoint. I must, at the outset, however congratulate the hon. gentleman upon his very able advocacy of the matter from his standpoint. He has very fully gone into the measure which has been before the

Legislatures of the Province of Quebec at different times. He has told you, at the outset, that in 1872 the Government of the Province of Quebec undertook the construction of a line of railway from deep water at the city of Quebec to the mouth of Deep River in Pontiac. We are not asking at the present time to do anything beyond what was originally contemplated by this Bill. We are now willing to accept the conditions that the road shall touch Pembroke and then extend westward to Sault Ste. Marie, on the south side of the Ottawa River, and as far as Mattawa on the north side. I contend that the Province of Ontario has contributed nothing by way of local subsidies to this line of railway; that, in the Session of 1884, the hon. gentleman who represents the riding of North Renfrew in the Local Legislature, applied to the Hon. Oliver Mowat for a subsidy for this railway from the point of crossing at the confluence of the Coulonge River to the town of Pembroke, and this subsidy was refused. Mr. Mowat at that time not thinking the road of sufficient importance to warrant him in giving a subsidy to the line of twenty-one or twenty-two miles from the town of Pembroke, believing as he did—and I congratulate him on that view—that if the road was subsidised from Lapasse Crossing to the town of Pembroke, it would be running parallel with the Canadian Pacific Railway for about half the distance to the town of Pembroke. I think it is not wise to subsidise a road in addition to the one which is now running to the town of Pembroke. The Provincial Government of Quebec, on the other hand, has subsidised the entire line from Hull or Aylmer to the town of Pembroke *vid* Allumette Island; and although the contention of my hon. friend is that this distance is six and a-half miles longer I may say that, according to the report of the chief engineer, it would be only two and a-half or three miles longer than by the Lapasse route, and we have the proud satisfaction of knowing that by having that road built by Allumette Island, at least seven thousand of the people of the county of Pontiac will be served by the railway who would otherwise be deprived of railway facilities; while if the road goes by the other route it will only meet with the approbation of about three thousand people in the hon. gentleman's county. I think, under the circumstances, as the Quebec Government has subsidised the road to the extent of half a million, we will have sufficient subsidy to build that line in its entirety through the county of Pontiac. I contend, besides, that the words to which so much weight and responsibility have been attached, the words "near the confluence of the Coulonge River," are very vague, and I think the hon. gentleman himself will agree with me that the phraseology is somewhat vague. The question was asked last year, in the Railway Committee, what the words "at or near" meant, and it was perfectly understood, I think, that they should mean a distance of ten or fifteen miles from any point, while we were only asking to make it ten miles west of the point contended for by the hon. gentleman. But, Sir, there is another matter much more important with reference to this Bill. The people of the county of Pontiac were induced to vote a subsidy or bonus to this line of railway through the county; they have voted \$100,000 to assist this company in constructing that line through the county, and we would only be keeping good faith with them, and with the letter which was written by the vice-president of the company—in the absence of the president—to induce the ratepayers of Pontiac to vote for this bonus, that letter having been published in the journals of my county, stating that the crossings of the Ottawa had been narrowed down to two; namely, the one at the mouth of the Coulonge River and the other at Allumette Island—I say we would only be keeping good faith with those people by adopting this route. We are now contending for the western crossing, and we hope this honorable House will be pleased to grant the people of the county of Pontiac that measure of con-

Mr. BRYSON.

sideration which is due to them. As our time here is important, and as there are other hon. gentlemen who will doubtless discuss this matter, I think I may safely leave it in the hands of hon. gentlemen of this House to stand by me, by saying that the crossing of the Ottawa shall be at Allumette Island, and not tie the railway company down to a particular crossing, especially as Allumette only extends a distance of 12 or 14 miles, and as the company now has the power of going either east or west of the town of Pembroke, so that whichever way they go they will at the outside be a distance of only six or seven miles from the town of Pembroke. I think the hon. gentleman's contention is unfair to the people of my county, and I hope he will see fit to withdraw this amendment and allow the Bill to go through as it was carried in the Committee the other day.

Mr. MILLS (Bothwell). I notice that this railway is regarded as a road of considerable importance to the constituency of the hon. gentleman who has just addressed the committee. It would seem from a report of a meeting of the council in the hon. gentleman's county, which is reported in the *Pontiac Advance* of Thursday, 26th May, that the hon. gentleman, during the election, promised his constituents that, if they returned him to Parliament, he would secure a subsidy towards the construction of this road, and would also secure the relief of his county from the obligations into which they had entered with the company. Now, if we can credit the report of the proceedings of that meeting, he proposed that the obligations into which the county voluntarily entered are to be paid, not by the county whose inhabitants are to be especially benefited out of the construction of this road, but out of the public Treasury of Canada; and I suppose that the hon. gentleman, in pressing this measure upon the attention of the House, is doing so for the purpose of attaining that end. He also informed the members of the council that he had not been able to persuade the company to agree to this arrangement; while they are quite ready to take any bonus that the Government may recommend and that Parliament may vote, they are not willing to release the county from the obligations into which it has entered. Now, it would be interesting to this House and the country to know what success has attended the negotiations of the hon. gentleman since the 26th of May. Whether he has yet come to an understanding with Mr. Church and the other parties connected with that enterprise, and how far the Government has given the hon. gentleman assurances that their liberality in dealing with this company will depend on the liberality of the company in dealing with the constituents of the hon. gentleman. The hon. gentleman in his numerous addresses to the council on that occasion said that he felt his responsibility very greatly—so much so that he was not disposed to go on with this matter, without taking them into his confidence and securing their cooperation and support. He wished them to advise as to the course he should take. We have had to-day one very extraordinary revelation connected with the First Minister, and now we have another with which the hon. member for Pontiac is associated. As the hon. gentleman has taken his constituency into his confidence, and explained with so much frankness his anxiety to relieve them of the obligations into which they have entered, he ought, I think, before he calls on us to vote on this Bill, to tell us what success has attended his efforts, and what assurance the Government has given him in regard to this transaction? It does seem to me a very extraordinary course that an hon. gentleman should say to the free and independent electors of any constituency in this country: Gentlemen, if you return me to Parliament, I will enable you successfully to repudiate the obligations into which you have entered; you have given certain assurances to a corporation that if they go on and construct a

certain railway you will contribute a certain sum; you believe that the advantages and the benefits which it will confer upon you are so great that you can venture to do this to aid the company, and at the same time promote your own interest; but if you return me to Parliament, I, having the ear of Government, will secure for this railway so liberal a subsidy that the company will be ready to relieve you of all obligations into which you have entered.

Mr. BRYSON. I deny that absolutely. That statement was never made by me on a public platform. It is made by the editor of the Liberal press of my own county, a disappointed office-seeker who continually agitated the signing of those bonds, while I repudiated the responsibility of the county for them. If the hon. gentleman can take any satisfaction out of the statements of the Liberal press of my county, he is welcome to it.

Mr. MILLS (Bothwell). The words of the hon gentleman as reported—

Mr. BRYSON. I am not correctly reported.

Mr. MILLS (Bothwell). Then the hon. gentleman did not tell his constituents that if he could not make terms with the railway company, he would seek to prevent their obtaining a subsidy here. The hon. gentleman who sits in front of him, for instance, was possessed of a great deal of influence, and it might be that upon this line he would not succeed, and, therefore, it was better that they should express no opinion on the subject.

Mr. CHAPLEAU. There is no use of rubbing that match so much as that. I do not think the hon. gentleman is speaking to the question at all.

Mr. MILLS (Bothwell). The hon. Minister thinks that a little attention given to this subject would be quite in order, but to discuss it fully, so that the House could understand exactly what the position of the hon. gentlemen is, is out of order.

The CHAIRMAN. I think the hon. gentleman should confine his remarks to the question, recollecting that we have only an hour for Private Bills.

Mr. MILLS (Bothwell). Well, I am not going further to trespass on the indulgence of the House, and I only hope you will be quite as strict in other cases as you are in mine.

Mr. WHITE (Renfrew). I have a few words to say in reply to the hon. member for Pontiac. I understood him to say that the Act of 1875, empowering the Province of Quebec to build this line of railway, provided for its construction from deep water at Quebec to Deep River, a stretch of the Ottawa. There is not a single word in that clause referring to Deep River, and, as a matter of fact, I believe the intention of the Government of the Province of Quebec was to make connection with the subsidised portion of the Canada Central Railway at a point east of that proposed by the company in April, 1882. It has also been stated that the county of Pontiac granted a subsidy of \$100,000 to this company, on the understanding that the road was to run to this point at Allumette Rapids. Now, I have here the by-law itself, passed by the corporation of the county of Pontiac, and I will trouble the House with reading but one clause of it, which will show what the meaning and intention of the municipal council of the county of Pontiac was in regard to this matter, and their intentions in regard to this matter received the approval of the majority of voters in that county who voted on the by-law. The by-law recites that:

"Whereas, in the opinion of the municipal council and corporation of Pontiac, the inhabitants of the said county are sufficiently interested in the railway which the Pontiac and Pacific Junction Railway Company is authorised to construct between the city of Hull or village of Aylmer, in the county of Ottawa, to such points or portions of the Canadian Pacific Railway (heretofore known as the Canada Central Railway)

at or near the said town of Pembroke, in the county of Renfrew, Province of Ontario, which may be found most suitable to make a connection between the aforesaid points, to warrant the said corporation in granting a bonus to the said Pontiac and Pacific Junction Railway Company to the extent of \$100,000 currency."

Then, it goes on to say what are the terms and conditions.

"The warden of the county of Pontiac is hereby authorised and shall be hereby required to enter into a contract for and on behalf of this corporation with the Pontiac and Pacific Junction Railway Company, to grant and pay to the said company a bonus of \$100,000, and for that purpose to have prepared debentures of this corporation to the extent or value of \$100 each, and so on."

Now the condition is this:

"It is provided that a sum not exceeding \$2,500 per mile be granted for each mile of the road that is constructed in the county of Pontiac, but that the whole sum shall not exceed \$100,000."

That would be a payment of \$2,500, upon the length of 40 miles of road in the county of Pontiac, and I believe that the road, from the point at which it was originally proposed by the company to cross the Ottawa, would run through the county over 50 miles. I happened to be at the meeting of the county council of the county of Pontiac at which this by-law was passed. The representatives of the company, who attended that meeting, were willing to have the point of crossing fixed at Lapasse, which was afterwards fixed by the company as their point of crossing; but some of the members, who wished to have the crossing further east, declined to put this condition in the by-law, and, as a matter of fact, the company were in no wise bound to cross any portion of the county of Pontiac at all. In that case, however, they would receive only \$2,500 per mile for the length of the road in the limits of the county. If it was the intention of the county of Pontiac to impose on the company the condition of extending their road to a point which would cost them \$300,000 more than it would cost if the crossing were at the point at which I asked the company to fix it, they did not put it in their by-law, and there is no such condition imposed on the company. My hon. friend for Pontiac has drawn attention to the fact that the Ontario Government refused to grant a subsidy to this road. I would inform the Committee that the refusal was not based on the grounds my hon. friend stated to the Committee. It was based, as many members have heard iterated and reiterated from the Province of Ontario, on the ground that as the Government of the Dominion had, as alleged by the Government of Ontario, seized upon all the railways in the Province of Ontario, the Ontario Government would thereafter grant no subsidies to any line of railway in the Province. It was on that ground that the refusal to grant a subsidy to this railway from a point of crossing at Pembroke was made by the leader of the Government in Ontario. I do not propose to take up the time of the Committee further. I think it my duty to the people I represent and to myself that I should make known the facts as they actually exist in regard to this road; that I should point out to the Committee that, in asking to take this power, the company are asking to take power to cross the Ottawa at a point which is not the most suitable point for making the connection that was asked for in their original Act of incorporation. I leave it for the Committee to decide whether this amendment shall be accepted or not.

Amendment negatived.

Mr. WHITE (Renfrew). If you, Sir, declare the amendment lost I would like to move another amendment, and I will say very little about it. In this clause, you will find the expression to cross the Ottawa River at Allumette Island, which stretches 14 miles up and down the Ottawa; and, according to all the engineering information I am able to obtain, there is only one point, if this company proposes to cross and connect with the Canadian Pacific Railway, through the whole length of Allumette Island, from east to west, at which a practical crossing can be made, and that is

at Allumette Rapids. I would ask leave to strike the word "Island," which my hon. friend from Pontiac says is a very indefinite term, and to insert in its place the word "Rapids."

Mr. CHAPLEAU. Really my hon. friend is not reasonable. He knows that the company which is building this road, after having made three or four different surveys to cross the Ottawa, have decided, being obliged to deposit plans in the Railway Department, to cross at the point which is advocated by the hon. gentleman. My hon. friend has that guarantee. What necessity then is there to force the company, by enactment, to go there, when, perhaps, by accident or after further surveys, it might be found that some deviation for the crossing of the road would be necessary. By the charter, the company is obliged to go from Hull to Pembroke, and by this amendment we oblige the company to go to the town of Pembroke, and this is the important point for the member for Renfrew. The site the most suitable for all interests has been decided for the company by the Government of Quebec, which is giving the largest subsidy, and by this Government who is also granting a subsidy. I think my hon. friend should be satisfied with the assurance that he has, and may further have, by going to the Department of Railways, that most likely, unless there are insuperable difficulties, the bridge will be built at the point which he really wants for his county and constituents. It will be built at the most suitable point for all interests. I think the hon. gentleman is not fair in putting that amendment.

Mr. WHITE (Renfrew). The hon. gentleman himself has given the best evidence to the Committee that I am both fair and reasonable in asking what I ask to be inserted. He stated that, after careful examination and several surveys, the company has decided the best crossing is the very point I ask him to fix in the Bill. But he adds, although the company know it to be the best point, and although they have deposited their plans with the Government fixing that point, they do not wish it to be inserted in the Bill. You will remember, Sir, that the company has also deposited their plans with the Government fixing the other point, to which I asked the Committee to assent a short time ago. Two or three years ago, at the time they entered into the contract for which this subsidy was allowed to them, they deposited with the Government their plans, fixing the point of crossing at the mouth of the Coulonge River. Now, the hon. gentleman says they have deposited plans with the Government fixing the point at Allumette Rapids, and they have done that after three years examination, after having had the fullest opportunity of deciding as to where was the best point of crossing. Yet my hon. friend says I am not reasonable in asking to have that inserted in the Bill. I think there is the strongest possible evidence in his own statement that it is reasonable to ask that, instead of having the crossing made at Allumette Island, which is 14 miles long, as the hon. gentleman knows, instead of having it made at that indefinite point—if I may be allowed to use a contradiction in terms—it should be fixed at the only point, as I think the engineers will agree with me, which can be substituted if you go west of the mouth of the Coulonge River. Therefore, I think, I am both fair and reasonable in asking that these words should be inserted.

Mr. CHAPLEAU. We can change it when we have deposited the plan at any time of the year. If a difficulty is met with it can be changed by the consent of the Government, but, if you define it by Act of Parliament, we would have to wait a year before we could make the change. We have decided to do it—

Mr. WHITE (Renfrew). You have had an examination, and what more do you want?

Mr. CHAPLEAU. We do not want to have to come to Parliament for power to make the change if found necessary. Amendment negatived.

Mr. WHITE (Renfrew).

On section 10,

Mr. WHITE (Renfrew). By this, the time is extended for constructing the road. I have no objection to the extension of the time for the construction to Sault Ste. Marie, but I ask the Committee to fix an earlier date for the completion to the town of Pembroke, and I do it on this ground: In the first place, I think about 40 miles of the road have been constructed in the last eighteen months, and there are only about 20 miles now to be constructed. It is asked by this clause that the time be extended to the 1st September, 1890. That would be considerably over three years to construct the 20 miles, whereas, as I have stated, 40 miles have been constructed in eighteen months; and, as this company has a subsidy of \$9,200 from Quebec and from the Dominion, I think it would not be unreasonable to ask that an amendment which I have prepared should be introduced. I move that the tenth clause be amended by striking out the word "September" in the third line and substituting the word "December," and by striking out the word "ninety" in the fourth line and substituting "eighty-eight." That would give the company until the end of the year 1888 to complete the 20 miles of road yet to be constructed. In addition to what I have already said, I have an agreement here made by a gentleman who, I believe, is the president of the company, in which he undertakes to complete the road to Pembroke by the 1st December, 1888. There appears to be a mistake in the notice of this amendment, which should read the 1st December, whereas it reads the 1st September. I propose also to ask that the following proviso be inserted:—

Provided always that the work of building the bridge or bridges across the Ottawa River—

Because it will require bridges if the road is to go in the direction this Bill fixes—

authorised by the Act 43 Vic., cap. 55, shall be commenced within three months after the passage of this Act, and shall be completed on or before the 1st December, 1888.

That will reduce the time for completing the road to Pembroke to the end of 1888, and will fix the time for the commencement of the work within three months after the passage of the Act.

Mr. BRYSON. I think an amicable solution would be arrived at if the hon. member for North Renfrew (Mr. White) would consent to say that operations for the building of the bridge shall be commenced within one year after the passage of the Act, and completed within two years. If he will make that change I will accept it.

Mr. WHITE (Renfrew). Very well.

Mr. CHAPLEAU. I think it might go as it is. The road will be profitable to the company only when it reaches Pembroke. The ambition of the company is to reach Pembroke, and putting longer delays in the way is not calculated to advance the company's interests nor Pembroke's, because, as long as they do not reach Pembroke the road is not likely to be profitable. It would be better to leave the clause as it is, leaving as a guarantee the fact that the company shall go to Pembroke as soon as they possibly can. I would suggest, however, that the hon. gentleman should consent to go half way, and to that end I would substitute the word "eighty-nine" for the word "ninety."

Mr. WHITE (Renfrew). Say one year for commencing the bridge and two years for building the road to Pembroke. That will bring it till June, 1889.

Mr. CHAPLEAU. I move in amendment to that amendment that the word "1889" be put instead of the word "1890." That is going halfway of the hon. gentleman's offer.

Amendment to the amendment agreed to.

Bill reported, and read the third time and passed.

Sir HECTOR LANGEVIN. I think, with the consent of the House, we might give a little more time for Private Bills, in order that they may pass this evening and go to the Upper House.

Sir RICHARD CARTWRIGHT. The hour is fully up, and there are several Bills here upon which we may spend the whole of this evening, judging from what happened the other evening. The other evening we sat till 11 o'clock discussing Private Bills. I have great respect for the rights of private members, but it is not quite fair that those of us who have to stay here to see the Estimates through, should be kept up till two or three o'clock in the morning to give precedence to these Private Bills.

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Estimated grant to supplement the Indian Fund...\$40,725.50

Sir RICHARD CARTWRIGHT. Indian schools, \$14,287.50. I observe in this vote, which is an exceptional vote, no doubt in itself, that there is a decrease of \$4,700. I desire to know what is the reason of that, whereas \$19,000 were required last year, \$14,000 are supposed sufficient this year. Has the number of schools been reduced, or what is the state of the cause?

Sir CHARLES TUPPER. The additional amount required last year over this year, was for the erection of schools.

Payment of annuities under the Robinson Treaty....\$15,588.

Sir RICHARD CARTWRIGHT. To provide a salary for Chief Angus Cooke, \$50—What is the object of this little special vote?

Sir JOHN A. MACDONALD. The hon. gentleman will remember the troubles about the Oka Indians. There was a great deal of difficulty, and the seminary, in order to settle matters, bought a large tract of land in Gibson, Ontario, for the Oka Indians. A good many of them have gone there, and we hope the whole of them will go there. Angus Cooke is the Indian reeve of the township. He is a poor man, he is not like a white man with means, and this small amount is to pay his expenses there while he is acting as reeve in Gibson.

Mr. DAWSON. I would like to ask the Minister what progress has been made with the Ontario Government in settlement of the large amount due the Indians. The question was lately brought up by the hon. member for Muskoka (Mr. O'Brien), and I merely rise to say that it is highly desirable that some settlement should be come to whereby the Indians might, at least, get the advantage of a portion of the very large amount due them. Under the Robinson Treaty the amount due is very large, and in the meantime the Indians are in many cases suffering. If the arrears due were at the disposal of the Government, it would enable them to provide for the maintenance of schools in different parts, and ameliorate the condition of the Indians generally. I must say that, as regard the Indians in Algoma, a great deal has been done for them of late years in the way of establishing schools, and the Department of Indian Affairs has shown a very great desire to assist them, and has been very successful in ameliorating their condition. From one end of the district to the other, you never see a drunken Indian now, or at least very rarely. In former years wherever you went you found Indians in a state of intoxication about the landing places. That is never seen now, and the Indians have become a very law-abiding and well-behaved community in the district which I have the honor to represent; and all my regret is that the Government has not more means at its

disposal to provide schools among them, and if the large amount due them under the Robinson Treaty, I cannot say the sum, were paid, it would be very much to their advantage. In the meantime the Indians should not be kept without it. If there is a dispute between the two Governments, let the Indians be paid in the meantime, and I would suggest that when the next Session comes round an appropriation should be asked for, for the purpose of settling those Indian claims.

Mr. MILLS (Bothwell). The hon. gentleman should inform the Committee as to how the Oka Indian matter stands.

Sir JOHN A. MACDONALD. The matter stands in the same position as it did last Session. The hon. gentleman will remember the unhappy trouble in Oka. The seminary, a body which always acts within its rights and according to law at all events, agreed to assist in the purchase of a tract of land in the township of Gibson, bought from the Province of Ontario. It was hoped that the whole of the Indians would allow themselves to be transferred from Oka to Gibson, where I think they are much more prosperous and happy, if they would only think so, than they were at Oka. Those who have been transferred are quite satisfied. Still for some cause or other, perhaps from the natural adhesion of men to the places where they were born, a considerable portion of the Indians of Oka still remain there. We voted \$5,000 to assist them in their transfer from one place to another. They have not taken advantage of it. The vote has not been used; but we desire to keep the vote still, so that if the Indians or any portion of them go they will be transferred. It is really a very small matter as regards the number of Indians, but it has been a sore question. We will keep this vote so that if the Indians will leave Oka and go to Gibson, we shall be able to pay their expenses and conclude that long-suffering evil.

Mr. MILLS (Bothwell). Has there been any progress made in getting Indians out of Oka who were there last year?

Sir JOHN A. MACDONALD. No.

Mr. MILLS (Bothwell). The hon. gentleman knows that the difficulty was a religious one, that a number of the Indians have given up the faith to which they were converted by the early missionaries, and the proprietors of the seminary regarded their remaining there as in a great measure using the funds of one church to support those who were really adherents of another church. Which class has remained behind?

Sir JOHN A. MACDONALD. Those who remained behind are, I think, Protestants, as well as those who have gone to Gibson.

Mr. DESJARDINS. They are mixed. There is a certain number of families Catholics.

Sir JOHN A. MACDONALD. They are mixed perhaps, but there they are. I think it would be of very great importance, and would settle the question, if the whole of them were removed to Gibson. I may take this opportunity of saying that I believe the seminary has acted altogether within their rights by law. I know they have acted most generously, and have spent large sums of money for the purpose of settling this question. They have their own peculiar views, and those views can be carried out under the law and within their rights, and so we cannot dispute them. But in order to settle this question they have spent large sums of their own money; they have put up houses for the men at Gibson, and are still willing to do all in their power to conclude this religious war in a small way by contributing liberally of their money for the transfer of the Indians.

Mr. MILLS (Bothwell). I am not making any criticism on the conduct of the seminary. I dare say they are acting

strictly within their rights; at all events that was the advice the Department received, and I think the hon. gentleman had an elaborate opinion from Mr. Laflamme and from ex-judge Badgley with regard to the respective rights of the seminary and the Indians. All I desired was to elicit information with a view to seeing what progress had been made in persuading the Indians to go elsewhere. Of course the seminary will have very much less objection to those of their own faith remaining with them than to those of the opposite faith, and that was the reason I asked the hon. gentleman which class of settlers remained on the land.

Mr. DESJARDINS. I think it is very desirable that the Government should take some further steps towards settling this question. I know it is understood that if the Government showed its willingness to aid in this matter, it would go very far towards settling the question in a peaceable way.

Sir JOHN A. MACDONALD. This vote shows the willingness of the Government to assist in transferring such Indians from Oka to Gibson. They will be helped whenever they choose to go.

Nova Scotia Indians \$5,032

Sir RICHARD CARTWRIGHT. The only fact that is noteworthy is the disappearance of the item for schools. I do not know enough about the situation to be able to judge whether it is possible to send the Indian children to school or not; but it is rather curious that the item should disappear altogether, although it is a small one. Is any effort being made in Nova Scotia to educate the children of Indians?

Sir JOHN A. MACDONALD. I think so.

Sir RICHARD CARTWRIGHT. What is being done in that direction, for I think the Indians have no funds of their own?

Sir JOHN A. MACDONALD. The item of \$400 last year was for a school house at Schubencadie, which has been built.

Sir RICHARD CARTWRIGHT. I see that the \$90 formerly voted for schools in Nova Scotia is dropped. Is there no provision of any sort for Indian schools in that Province?

Sir JOHN A. MACDONALD. There are not, in Nova Scotia and New Brunswick, regularly established Indian schools, but there are a number of teachers who receive regular salaries for teaching the Indians.

Sir RICHARD CARTWRIGHT. From what fund are they paid?

Sir JOHN A. MACDONALD. Some from the school funds, but generally, in the lower Provinces, from the parliamentary grant. In Ontario, as the hon. gentleman knows, the Indian fund is rather a rich fund. In Quebec it is not so valuable, and in the Maritime Provinces it is almost nil, and, therefore, the Indian schools have been supported by Government grants.

Mr. MILLS (Bothwell). The hon. gentleman, I think, has never taken any steps to extinguish the Indian title, and secure a fund.

Sir JOHN A. MACDONALD. I think we had better let sleeping dogs lie.

Indians, British Columbia \$78,425

Sir RICHARD CARTWRIGHT. Here the sum is nearly doubled. What is the cause of the increase?

Sir JOHN A. MACDONALD. The salaries in 1886-87 were \$19,780, and there is an increase of \$40, making \$19,820. Relief of distress, \$1,000 last year and the same this year; seed grain, agricultural implements, &c., \$1,200 each year;

Mr. MILLS (Bothwell).

medical attendance and medicine, \$1,800 last year, and \$2,400 this year, an increase of \$600. Day schools, last year, \$2,150; this year the estimate is \$3,350 making an increase of \$1,200. Last year there were no industrial schools, as we are only commencing the system in British Columbia and we ask a vote of \$17,250.

Sir RICHARD CARTWRIGHT. How many industrial schools is it intended to establish for this sum, and in what fashion are they to be worked?

Sir JOHN A. MACDONALD. There are two industrial schools to be established. The Indians of British Columbia are of quite a different race from those in the North-West and in the east. There is a good deal of Mongol blood in them, and they are more industrious and self-reliant than the Indians farther east; they work in the mines and on the railways, and they are, as I am sure my hon. friends from British Columbia will say, a hard-working people. They do not ask for anything but schools, and they have been asking for schools, and especially industrial schools, for some time.

Mr. SHANLY. They get no rations?

Sir JOHN A. MACDONALD. Oh no, they earn their own living in every way. The Government think it well to establish one industrial school on the Island of Vancouver and another on the mainland, after the fashion of the industrial schools which have been in successful operation for the last two or three years in the North-West. I believe, and in fact I am sure, that this experiment will be a very successful one, because they are a fine people with a promising future before them, if their education is promoted.

Sir RICHARD CARTWRIGHT. It is true that they cost very little in the way of maintenance, but there are two points to which I would like to direct the hon. gentleman's attention. One is that an immense proportion of the sum paid appears to go for the salaries of a few white men, and it is not easy to see what these persons can do for Indians of that type. I should think the Indians would rather prefer having the money spent in some other way than spending \$30,000 of this amount in paying some half a dozen Indian agents, though, not having visited the country, I cannot speak with authority. With regard to the industrial schools, is it proposed to take a number of Indian pupils into the schools, and support them and teach them trades, or will they attend there as day scholars?

Sir JOHN A. MACDONALD. As regard the expenditure for officers, the hon. gentleman must remember that British Columbia is a very large country. We scarcely appreciate the enormous area it covers. With regard to the salaries, they have not been increased in our time, nor has the number of officers been increased. They are there, but perhaps by degrees they may be reduced in number. The expense is not very great. I think the hon. gentleman will admit that. All of the salaries in the Province of British Columbia are included in the sum mentioned in the Estimates.

Sir RICHARD CARTWRIGHT. Indians of that class hardly require protectors.

Sir JOHN A. MACDONALD. Well, we find that when there is no Indian agent there is trouble. I must confess that we have great difficulty in getting the right kind of men to be Indian agents in British Columbia, though we have some very good men there. With regard to the industrial schools, the building for the one on Vancouver Island is not yet put up. It will cost \$2,500, and will accommodate twenty-five pupils at a cost of \$130 each per annum. On the mainland there will be two schools; the buildings will cost \$5,000, and the cost of teaching twenty-five pupils there will be \$3,500.

Sir RICHARD CARTWRIGHT. Are these Indian children to be taught trades—carpenters, blacksmiths, &c?

Sir JOHN A. MACDONALD. Yes, that is the meaning of industrial schools.

Sir RICHARD CARTWRIGHT. Are they to be sent back to their tribes afterwards, or will they become a portion of the white population?

Sir JOHN A. MACDONALD. I fancy that the Indians in British Columbia taught in the schools could be safely allowed to join their tribes. They will work like white tradesmen. In the North-West, where we have several industrial schools, we have found, on the recommendation of all the heads of those schools, and of the different religious denominations who have taken charge of them, that it is hopeless to expect to reclaim a young man, even if he is taken to an industrial school and educated, if he goes back afterwards to his tribe and marries an Indian who is uneducated. We have, therefore, established at Qu'Appelle a women's school, and we have another at Battleford, which the outbreak caused an interruption of; and it is hoped, by educating Indian women and Indian men in those industrial schools, that both will be drawn from the domestic influences of their tribes, and will intermarry, so that we shall have a valuable class of educated and industrious children.

Sir RICHARD CARTWRIGHT. In British Columbia are the pupils to be all boys?

Sir JOHN A. MACDONALD. As yet we do not propose to establish a women's school.

Mr. MILLS (Bothwell). I suppose the hon. gentleman does not propose to go so far as Frederick, King of Prussia, and provide for compulsory marriages.

Sir JOHN A. MACDONALD. No.

Mr. MILLS (Bothwell). The hon. gentleman may, of course, get an ideal system without any coercive measures, but that portion of the hon. gentleman's scheme remains yet to be tested. I see that he is taking a vote of upwards of \$25,000 for British Columbia more than he took last year, and I believe the greater portion of this \$52,000 voted for Indians is expended on white people. It would be interesting if the hon. gentleman had laid a statement before the Committee showing how this money was applied. British Columbia stands in a different position from the North-West and Ontario. There was no purchase of public lands there from the Indians by way of extinguishing the Indian title. The most that was done was to set apart certain reservations for the occupancy of the Indians under the Crown. For the purpose of setting apart those reservations, there was in 1875, I think, a commission appointed by mutual understanding between the Government of British Columbia and the Dominion Government to locate those reservations. It was supposed that that work would take about three years, but twelve years have gone by and the hon. gentleman has just as large a sum this year as ever for the payment of those reserve commissioners. Surely the work of those commissioners must have been completed years ago. There are less than 40,000 Indians in British Columbia, and if a reservation were set apart for each Indian, and the whole Province were hunted over for reservations, in twelve years this work ought to have been done.

Sir JOHN A. MACDONALD. That is a different question from the one we are discussing. I am afraid I cannot hope that the expenditure on surveys will be stopped yet a while. The hon. gentleman ought to remember that there was an arrangement between the Dominion and Provincial Governments for a joint commission to lay out those surveys. From the difficulties that arose the Provincial Government refused to go on with that commission, and they repudiated

all the surveys that were made by the Hon. Malcolm Sproat. All those surveys are valueless, unless they are sanctioned by the Provincial Government. I tried to induce them to sanction those surveys, and they positively declined to recognise any of the surveys made by Mr. Sproat. Since that time Mr. O'Reilly has been, by mutual consent, appointed commissioner in place of the two commissioners. He has been acting for both Governments, and the leader of the late Government, Mr. Smyth, agreed with myself that he would confirm any and every survey made by Mr. O'Reilly. I have reason to believe that was done with the sanction of Mr. Davie, who was the attorney general, and who is now the Premier, so that I have no doubt all those surveys of reserves that were made by Mr. O'Reilly will be confirmed. The hon. gentleman must remember it is an enormous country, and Mr. O'Reilly is going on from year to year, as it is thought well, assigning the Indians to their reserves. He is going on very well, and it is satisfactory to know that all these surveys have been confirmed. There was some trouble, I may say to the hon. gentleman, not only some trouble but serious trouble and apprehension in the minds of the Government of British Columbia, as to disturbances up in the Metlakatla country. We are trying to deal with that as best we can. The Indians complain that the allowance of land under their reserve is insufficient. I am at this moment in communication with the Provincial Government, and the Provincial Government are willing to allow the Indians a larger reservation. I hope, therefore, that this matter, which was really threatening two weeks ago, will be settled.

Mr. MILLS (Bothwell). The commissioners who were appointed to make this survey, in the first instance, were appointed with the consent of the Local Government, and the Local Government, of course, bound itself to abide by the decision of the commissioners, just as they have now bound themselves to abide by the decision of Mr. O'Reilly.

Sir JOHN A. MACDONALD. They agreed to do so.

Mr. MILLS (Bothwell). Yes, it was binding in the one case as in the other. Those commissioners went on and made selections of land. They chose reservations, in some cases not larger than the Indians demanded. The hon. gentleman knows that there was a correspondence between the Indians of Washington Territory and the British Columbia Government, and if it had not been for the defeat of the Nez Percés by the American army, there would, in all probability, have been an Indian war on the Pacific slope, embracing Washington Territory and British Columbia. It was with the view of conciliating the Indians that the commissioners dealt with them in the way they did. I do not think the quantity of lands granted the Indians was extravagant at all. On the contrary, looking at the mode of life of the Indians as a pastoral people, the amount was very moderate. The whole Indian population is less than 40,000, and those commissioners, although the territory is large, should require but a moderate time to make the selection. The numbers of reserves at most would be very few to meet the wants of all the Indian tribes, and yet this commission has taken 12 years to mark out reservations for the Indians. Now, the hon. gentleman says that the Government repudiated the work done by Mr. Sproat and the other gentlemen associated with him. Supposing that were the case, the Indians had their reservation marked out; and, although the Government might not agree with them, until the Local Government indicated what change they desired, the Indians would continue to occupy those reservations, and I think we ought to see what these commissioners are doing for the salary they receive. How many reservations were set apart last year? Where were they marked out? For what Indians? What progress has been made? Or has Mr. O'Reilly simply been drawing a

salary and waiting for the Local Government to agree to set apart these reservations.

Mr. SHAKESPEARE. Are these industrial schools to be under any particular denomination?

Sir JOHN A. MACDONALD. No, I should think not. I think those industrial schools should be secular in British Columbia. In the North-West, matters were otherwise. There is a large number of Indian bands who are Catholic Christians. At Qu'Appelle, for instance, the Christian Indians are all Catholics. There we have an industrial school for both men and women, under the charge of Father Hugonnard. Then we have, at the foot of the Rocky Mountains, a school under charge of Father Lacombe. At Battleford, we have a Protestant school under the charge of the Rev. Mr. Clark, who is a clergyman of the Church of England. It is, however, in no respect a Protestant school, but is open to all. In fact Mr. Clark was there at the time, and was a teacher among the Indians. He is very much esteemed by them and knows the language well, so that, practically, it is an Anglican school, though all the Indians can go to it. Then, there is an industrial school in charge of the Methodist conference lately established, and there is a Presbyterian school as well. That is in the North-West, because the various missions of these various religious denominations have established their missions there, have had a very large number of converts, and naturally these industrial schools have fallen into their hands. So far as I can learn, in British Columbia, that is not the case. The two schools on the mainland and one on the island, will be secular. If it should prove that a particular clergyman from any denomination has particular aptitude to be the master of an industrial school, he will be appointed; the fact of his being a clergyman would not be a reason for his not being appointed.

Sir RICHARD CARTWRIGHT. The hon. gentleman did not reply to the question of the hon. member for Bothwell as to what had been done by Mr. O'Reilly. Is it not the case that Mr. O'Reilly, some two or three years ago, was incapacitated by some accident for doing work at all?

Sir JOHN A. MACDONALD. That is quite true.

Sir RICHARD CARTWRIGHT. Has he not been unable to do work since?

Sir JOHN A. MACDONALD. No, he is doing work now. Mr. O'Reilly suffered a very severe accident, and it was thought at one time he would be incapacitated for life. He has, however, thanks to a good constitution, survived that serious accident. Previous to the time he was incapacitated, he had laid out sufficient surveys on the ground, so that he could wait until the surveys made on the ground were completed by the surveyors. He is now completely restored, and I hope will long continue to carry on that work, and the chief reason why I wish that he should be so employed is this: that he is agreeable to the British Columbia Government, and can always get them to assent to whatever he does. And from his manner and adaptation to that work, he is agreeable to the Indian tribes.

Mr. MILLS (Bothwell). I would like to have some information from the hon. gentleman with regard to the reservations in British Columbia—the one at Metlakatla, formerly under Mr. Duncan. I understand Mr. Duncan had some misunderstanding with his bishop, and that Mr. Duncan, who was, perhaps, the most successful of all our white men in dealing with the Indian population, had the Indians with him in that dispute. That these people, from a condition of barbarism, became, as compared with other Indians in the surrounding country, an industrious, thriving population, and had been self-sustaining, and in no way were dependent upon the Government. I understand that

Mr. MILLS (Bothwell).

the Government interfered against the Indians and against Mr. Duncan on behalf of the bishop, and that the property that the Indians claimed there was taken possession of, and that the Local Government were authorised to transfer that property, with the honorable gentleman's consent, to other parties, and that the result is that arrangements are being made to voluntarily remove these Indians to a portion of Washington Territory in the United States, in order that they may get rid of the injurious surveillance of the Government and the meddlesome oversight of the Protestant Episcopal Bishop there. There is another reservation in that Province—and I mention both now in order to facilitate the progress of the hon. gentleman in his work—the reservation in the immediate vicinity of the city of Victoria. Certain parties were anxious to get possession of that reservation and to remove the Indians to another portion of Vancouver Island, and to place them in possession of property far less valuable than that which they actually occupy. Hon. gentlemen know—I believe the hon. gentleman from the city of Victoria knows—that this reservation in the immediate vicinity of Victoria is especially valuable, and I understand that this property was transferred, or is about being transferred, to certain parties for a mere fraction of its actual value, and that the Indians, contrary to their wishes, are being pressed into accepting property elsewhere in lieu of that which they have long held in the immediate vicinity of the city of Victoria. The hon. gentleman can tell us, with regard to both these matters, what the actual situation is.

Sir JOHN A. MACDONALD. In regard to Metlakatla, the survey was made by Mr. O'Reilly some years ago. I believe it was made on the most liberal scale, and until late years no objection was made to that survey. There is a question which has arisen with which the Government have nothing in the world to do. It is a question as to the title to the two acres at Metlakatla which are claimed by the Anglican church—I suppose the bishop may be considered the representative of it—I do not know how the statute stands, but that title is recognised by the Government of British Columbia; they say that the Church of England has a title to these two acres that are disputed by Mr. Duncan, who poses as the representative of the Indians at Metlakatla. That is a question with which we cannot interfere.

Mr. MILLS (Bothwell). The Indians built the church at all events.

Sir JOHN A. MACDONALD. Well, the Indians built the church, but there is at this moment a division amongst the Indians themselves. There is a not inconsiderable minority of the Indians at Metlakatla who are Anglicans and do not go with Mr. Duncan. Mr. Duncan and the majority, perhaps, acting under the idea of right, have interfered with that property. The Provincial Government have protected the right of the proprietors of these two acres. We have nothing in the world to do with that.

Mr. MILLS (Bothwell). Will the hon. gentleman say when the British Columbia Government gave the title to these two acres?

Sir JOHN A. MACDONALD. It is believed that the title was given by Governor Douglas. Mr. Duncan went there originally as a lay reader of the Missionary Society. He has been a man of great merit, of great administrative talent, of great enthusiasm, and I understand and believe that he has been of great service among the Indians there; but he is a man, I fear, who cannot brook control of any kind. For some theological reason or other, he severed himself from the church of which he was a lay reader, and has established a religion of his own, perhaps as good as the religion that he left, but, at all events, he started a religious system of his own,

and he resists the claim of the church, of which he was once a member and an officer, to this property. While he was a member of the church, of course he would defend the rights of the church. Now he has taken a different course. I am afraid there is a little of human ambition mingling with his desire for the advantage of the Indians, but, however that may be, it is a matter that we have nothing whatever to do with. The Canadian Government neither admits nor denies the claim of the Church of England to these two acres. They have not anything to do with it. All they want to do is to have the Indians living quietly on their reserve, and we shall try, as far as we can, to protect the Indians, and, at the same time, to prevent them from breaking beyond their bounds, and, under mistaken advice, becoming disturbers of the public peace. Then, with respect to the reservation in the vicinity of Victoria, that is a very valuable property, and the Indians make no use of it at all, they are living there in the immediate vicinity of a large town in which there is a seafaring population. I believe my hon. friend from Victoria will be able to speak as to the demoralisation of these Indians from that. The intention of the Government and of the Department is to get the full value for that land, and out of the sale of that land to purchase in the first place a habitat for these Indians at a considerable distance away from the seductions of a town and the degradation which results both for men and women, and to fund the balance of the money, as has been done in the older Provinces, for the benefit of the Indians.

Mr. MILLS (Bothwell). The sale has not taken place yet?

Sir JOHN A. MACDONALD. It has not taken place yet.

Mr. MARA. In reply to the hon. member for Bothwell (Mr. Mills) in his remarks as to the two acres at the Mission Point, I may say that that reserve was made in 1864. Here is the letter:—

“COLONIAL SECRETARY'S OFFICE,
“27th September, 1864.

“SIR,—I have the honor to acquaint you, with reference to your letter of the 30th May last, that the Government Reserve at Metlakatla has been, by direction of the Governor, extended to a distance of five miles on each side of the Mission Point, and five miles back from the coast-line.

“His Excellency has also directed that the two acres of land known as Mission Point is to be held in trust by the Government for the benefit of the Church Missionary Society.”

Those are the two acres that have been in dispute for some time. The dispute between Mr. Duncan and Bishop Ridley has been altogether of an ecclesiastical character. The Provincial Government appointed a commission to enquire into the whole matter, and they found that Mr. Duncan was altogether wrong, and ordered a survey of the two acres, which settled Bishop Ridley and the society in their rights. I was glad to hear the First Minister pay a compliment to the British Columbia Indians, as compared with the Indians of the other Provinces. They are thrifty, self-relying, and self-supporting. If the hon. gentleman will turn to the last report of the Department of Indian Affairs, he will find that whilst the administration of the Indian Department in British Columbia cost only \$1.25 per head, that of Manitoba and the North-West, \$35.90; Nova Scotia, \$2.79; New Brunswick, \$3.41; Prince Edward Island, \$6.17. Of the whole sum of \$48,283.69 expended in British Columbia, a very large portion was paid for laying out and surveying the reserves. Now, the hon. member for Bothwell (Mr. Mills) is wrong when he states that these reserves were settled some years ago. Many of the reserves laid out by Mr. Sproat at that time were not satisfactory to the Provincial Government, and in some cases they were not satisfactory to the Indians. In addition to that, his work was not completed, and although it may seem

a long time to lay out a few reserves, the hon. gentleman ought to bear in mind that those reserves are not laid out in large blocks. They vary in extent from 10 to 300 acres along the coast line, many of them including fishing stations that belong to different tribes, and each tribe wishes to have its particular fishing station laid out as a reserve by itself. Now, when we look at the small cost per head of administering the Indian Department in British Columbia, I think it speaks a great deal for the economical manner in which that Department has been managed; it also speaks well for the Indians. Taking this statement in connection with the tabular statement of agricultural statistics, it shows that the Indians there depend altogether upon themselves and not upon the Government. I am, therefore, very glad to know that the Government have, even at this late day, decided to establish three agricultural schools, two on the mainland and one on the island. For some years past the Government have been giving small sums to missionary societies to assist the Indians in day schools. Experience has taught both the missionaries and Indian Department that the Indians learn very little in these schools. They are, to a certain extent, still nomadic, at all events they have their hunting seasons and their fishing seasons, and when the head of a family goes hunting or fishing, he takes the whole family with him; so that an Indian lad who may have gone to school for two months is absent for two months more, and forgets all he has learned. In the industrial schools, I take it for granted that the Indians, besides being taught the three R's, will be taught both farming and trades.

Sir JOHN A. MACDONALD. The trades, principally.

Mr. MARA. Then all the better. After those Indians have returned to their homes, they will be the best missionaries and the best civilising agents the Government can possibly have. In looking at the small amount of \$17,000 that the right hon. gentleman says he intends to set aside for that purpose, I cannot help but contrast it with the amount devoted to industrial schools in the North-West Territories. In the North-West Territories, where there are only 30,000 Indians, the sum of \$53,929 is set apart for industrial schools; but in British Columbia, with over 38,000 Indians, only \$17,000 are allowed for that object. In the one case the schools are all in operation, but in the case of British Columbia the cost of building is to be taken from the appropriation. It is but tardy justice done to the Indians, and I only regret the sum is not larger, and that there are not more schools. As British Columbia covers a large area, and the Indians are scattered all over the country, there should be at least five or six industrial schools, because you cannot expect the Indians to go more than 100 miles to a school. Now, with regard to the amounts paid to the Indian agents, exception has been taken by the hon. member for Bothwell that these are too large, and that the Indian agents are not required. I say they are required for several reasons: they are required to teach the Indians habits of thrift, to teach them, to a certain extent, in farming, to prevent their reserves from being encroached upon, and more than all, to settle disputes that frequently arise between the neighboring whites and the Indian tribes. From my knowledge, both of the Indian tribes and the Indian Department in British Columbia, I have no hesitation in saying that I believe it is well and economically managed.

Mr. BAKER. I wish to refer to a remark of the right hon. gentleman in reference to the Indian reserve of Victoria. I have no doubt that he spoke unwittingly, but he said that the seafaring population would have a tendency to demoralise the Indians, because of the close proximity of the reserve. Well, Sir, being a seafaring man myself, and a representative man, I hope the hon. gentleman did not apply his remark to me; at the same time I think that

reserve should no longer be an Indian reserve. It could be better utilised for the terminal point of the Victoria and Esquimalt Railway, or other beneficial use. Perhaps the hon. member for Bothwell is not aware that the reserve to which he refers forms part of Victoria Harbor. It is situated at the left hand entrance to the harbor, and only takes five minutes to go from there to the densely populated portion of the city. On frequent occasions these Indians have a ceremony of what they call making a medicine man, or a medicine dog, and the noise they create on that reserve, when they are there for such an occasion, is exceedingly disagreeable to the citizens. I should be very glad to see said reserve turned to some better purpose, and a more suitable one found for the Indians much more remote from the city of Victoria. I hope the leader of the Government will have in view the offers that have been made for that reserve in the past, as I have no doubt he will, and see that the Indians get a fair price for their property, and that a suitable one is purchased in place of it.

Mr. MILLS (Bothwell). I was not objecting at all to the sale of this reservation. I quite admit that it is right that the Government should dispose of it, but I do not think they ought to make a private sale of some part of this reserve for far less than it is worth. It was to considerations of that sort that I directed my observations. I did not know how far the hon. gentleman had carried out the negotiations, or at least had accepted the offers which had been made, but it did not seem to me the proper way of disposing of lands which the hon. gentleman holds as trustee, so to speak, for the Indians. Now, I have just one word to say with regard to the observation of the hon. gentleman. If he examines the Auditor General's report he will find that a large portion of this \$48,000 spent last year, was not spent for the Indians in any proper sense at all. Now, for the Kamloops agency, there was \$905 spent, of which \$120 only was spent for medicine, and \$360 for seed grain; the remaining part, more than one-half, went as salary to the party in charge. At the next agency where the amount expended was \$412, there was expended for supplies only \$34.36, all the rest of that sum went to the agent for the payment of his salary and matters of that sort. When only \$34 out of \$412 goes to the Indians the hon. gentleman will see it is a very small proportion, and it is questionable whether the Indians might not be more benefited by an expenditure of a much smaller sum than Parliament appropriates if it was spent in some other way. Out of \$477 for Okanagan agency only \$28.87 were received by the Indians as supplies. All the rest was appropriated by officials.

Sir JOHN A. MACDONALD. Certainly.

Mr. MILLS (Bothwell). The hon. gentleman says certainly. If the organisation is such that less than nine per cent. of the appropriation goes to the Indians and 91 per cent. is spent on the organisation itself, I would be inclined to think, as the public will be, that the scheme is a failure.

Sir JOHN A. MACDONALD. The hon. gentleman is not serious in talking that way. The hon. gentleman says there are 91 per cent. of the appropriation spent in keeping up the establishment. These appropriations are not to help the Indians; the Indians can help themselves. There is a certain number of officers to look after them, just the same as in the North-West, there is an agent, clerk and inspector. You might just as well point to Prince Albert where there is an agent, two or three other collectors, an inspector, an excise officer and a number of officials, and say that they spend all the money and the people got none. It is merely the organisation of society. These men are sent to the districts of British Columbia occupied by the Indians, and they of course receive salary, but the money is no more to be divided than it might be expected that Mr. Mowat, who has been appointed sheriff at Toronto at a very large salary,

Mr. BAKER,

ought to give a certain amount of it to the people of Toronto. Those officers are sent to the different places to do their work. They are part of the organisation, and the hon. gentleman had the organisation when he was Minister.

Mr. MILLS. No.

Sir JOHN A. MACDONALD. I beg your pardon. The organisation has not been altered in any way.

Mr. MILLS (Bothwell). Yes, it has.

Sir JOHN A. MACDONALD. Not from the doctor to the lowest agent has it been changed since the hon. gentleman was head of the Department.

Mr. MILLS (Bothwell). The hon. gentleman is mistaken. He came down and proposed to the House to divide British Columbia into districts, and he established separate agencies. The hon. gentleman certainly ought to be better informed with respect to what he has done himself.

Sir CHARLES TUPPER. I do not understand where the hon. member for Bothwell (Mr. Mills) got his calculation.

Mr. MILLS (Bothwell). I read them from the Auditor General's report.

Sir CHARLES TUPPER. We have in the Estimates under our hands asked for \$52,520. Of that sum \$20,620 is for salaries. We have relief of distress, \$1,000; seed grain, agricultural implements and tools, \$1,200; medical attendance and schools, \$3,350; industrial schools, \$17,250; travelling expenses, \$4,200; office expenses, \$2,500—total, \$52,000. There is no percentage as the hon. gentleman has said. Out of \$52,000 there was \$20,620 paid for salaries.

Mr. MILLS (Bothwell). I read from the Auditor General's report, but I could give the hon. gentleman further details.

Mr. GORDON. The hon. member for Bothwell (Mr. Mills) seems to think those agencies are an unnecessary burden on the country, and he complains with respect to the division of British Columbia into agencies. If there is one thing in the administration of Indian affairs that reflects greater credit on the Government than another, it is the division of that Province into agencies, and the appointment of agents at the different points. One who has lived in British Columbia for 27 years, who remembers the condition of the Indians at that time, how unsafe a man's life was in travelling along the coast before the Indian agents were appointed, can all the more readily recognise now how much those agencies have effected in affording peace and security to life and property. Time was when a gunboat was frequently required to bombard the Indian camp, to punish murder, and to enforce regard for the constituted authority. I may say in regard to Vancouver Island, take the west coast, since the agent was appointed there has not been a single murder along that coast. In the district of Cowichan, where there is an agent stationed, 27 years ago the Indians were in a savage state. I desire to ask a question of the First Minister with respect to some of the agricultural communities of Indians. Last year a sum of money was given for prizes for the Indian agricultural exhibition at Cowichan. The effect on the Indians has been very marked, and will tend more than anything else to do away with the bad system of potlach which previously was one of their savage rites and debaucheries. I hope the First Minister will continue that policy and extend it as far as possible to every agricultural Indian settlement, for it will tend, in conjunction with experimental agricultural schools, to elevate the Indians at a very rapid rate. In fact, to-day, as already stated, they do not require the support of the Government in regard to food or raiment; they can earn enough to procure their own clothes, and some of them wear as good

clothes as do members of this House, and they live as well as most of the people. But those agencies are essential in order to settle disputes, not only between white men and Indians, but between the Indians themselves. More than that, they are always on the spot, and when men in small boats come from the American side with whiskey and proceed to sell it to the Indians, the agent takes the first opportunity to punish those parties. In that way the Indian agents have effected a great amount of good along the coasts, especially in the district that I have the honor to represent.

Mr. WILSON (Elgin). I think the hon. gentleman who has last spoken has afforded the strongest evidence that an increase in British Columbia is not called for. The hon. gentleman has shown that heretofore the Indians were in a demoralised state, so unruly as to require an organisation of this kind to preserve life in some localities; but now the Indians are in a very much improved condition. If that be so, and the greater portion of the money, according to the Minister's own statement, is for the purpose of keeping up the organisation, and does not directly benefit Indians, there is no reason why the Government should make this increased appropriation annually. If at the expiration of 1886 the sum of \$48,000 answered the purposes of the Indians, if they have improved wonderfully since that time, if they are much more civilised now than they were then, if there is less danger of their doing any serious mischief to the inhabitants there, why, I ask, is it necessary that there should be now over \$78,000 required for the same purpose? I hope the First Minister and the Government will take the advice of the hon. gentleman, and will say that there is no longer a necessity for this large expenditure and that they will accordingly reduce it.

Indians, North-West Territories.....\$843,195

Mr. PATERSON (Brant). Before we enter on the discussion of the separate items, I think the First Minister will agree that, perhaps, now is the best time to enter upon the discussion, which I mentioned before, when this subject was broached, of discussing at some length the question of Indian management in the North-West Territories.

Sir CHARLES TUPPER. I think we took the item over in the general Indian discussion. I was asked when we came to the subject of Indians in Civil Government not to pass the item, and it has not been passed. It was understood that the general discussion should be taken up when we came to that item. I think, therefore, that it would be better to confine this discussion to the question contained in the Estimates and keep the general discussion, as was originally proposed, on the item we have reserved for that purpose.

Mr. PATERSON (Brant). If we did, I think we were unfortunate in doing it, as that item will pass, of course, so that it will make no difference.

Sir CHARLES TUPPER. It was at the request of the hon. gentleman that we passed by that item, and it was understood that the discussion should take place upon it.

Mr. PATERSON (Brant). I dare say it was, but, as far as I am concerned, I shall not make any discussion of that item. But as the First Minister is in his place, and it is early in the evening, I think it will be better to discuss it now than at another time. I think it is necessary that something should be said upon this question, because it was a common subject of discussion in the House last Session, but, unfortunately, the First Minister took sick—a fact which we all regretted—and was not able to be in the House all the time, although he was in the House when I made my last speech on that occasion. He then referred to the speech of another hon. gentleman, in which very specific charges were made, and I see he has issued, or some one has issued, a pamphlet with the authority of the Indian

Department, and in that pamphlet they put some remarks or statements I made, and I do not propose that the accuracy of any statements I made in a previous Session shall be called in question, without my endeavoring to substantiate them, when I believe them to be correct. I call the First Minister's attention to the fact, which I mentioned before in the House, at a time when he thought it was not a proper time to discuss it, that in his reply to the speech of the other hon. gentleman and myself—though he had more particular reference to the statement of the other hon. gentleman—he had replied to the challenge that a commission be appointed by saying that he would accept the challenge and appoint the commission. He pledged himself that it would be an impartial commission, which would go into the whole facts of the case, and he would abide by the result. I called his attention to that statement, and to the fact that a commission has not issued. The reason he gave was that he found all the charges made were so absolutely incorrect—false, I think was the term he used—that it was not necessary to have a commission at all. At the same time he stated that he had documentary evidence bearing on this question, and he would submit it to the House, and have it scattered and put in the hands of hon. members. Well, there was a document prepared and sent out some time in the year—I do not know when—but it bears the imprint of the Department of Indian Affairs. It has no date upon it; it has no signature attached. I do not know when it was issued; I do not know who compiled it; I do not know who is responsible for it, but I know that it charges inaccuracy, and seeks to fix the charge of falsehood upon one who was a member of this House, if not upon one who is now a member of the House. I think the Committee are entitled to know who assumes the responsibility for this pamphlet, and the statements it contains. I think we should know who issued the pamphlet, who compiled the pamphlet and I think we are also entitled to ask the First Minister why another promise that he made is not fulfilled, as far as I know, that is that all the evidence he had should be laid before the House. We have been in Session some months; he said it was too late last Session to bring the evidence down, because it was still coming in, but he said that even then there was enough to disprove the charges which were made. But I have missed the evidence which is reported to be in this book, if it has been handed in. This book does not cover the First Minister's promise. Here are extracts taken—I do not know by whom, or on whose responsibility—extracts from certain letters and speeches and reports—little extracts or paragraphs. I remember that the hon. member for West Huron was charged with garbling, because he did not then give the whole context of a subject. The same argument would apply with reference to this, because I do not think the hon. gentleman will say that the reports of clergymen, or officers, or others who were asked to report are to be found here. We have these cullings and selections from those reports. We want the reports; we want to know where they are. The statements which were given by gentlemen on this side of the House were from official reports to which, if anything was left out, hon. members could refer and find what the context was. But here is a book which obtains circulation, which bears the imprint of the Department of Indian Affairs, which is sent broadcast over the country, which assumes to involve the charge of falsehood as regards other men, and still this charge is based upon selections made from documents which are not before us. I am not prepared to accept it in that way, and still less when the First Minister was so distinct in his promise with reference to the whole matter being put before us. Here is what was said:

"Sir RICHARD CARTWRIGHT. Will the hon. gentleman issue this document over his own signature, or does he propose to make use of the officers of his Department? Because I can see that rather serious incon-

veniences will arise if gentlemen at the head of Departments call upon their officers to issue what is, to all intents and purposes, a political pamphlet. I do not object to the hon. gentleman making any speech or using any declarations when he sees fit, but I do not think his officers should do it.

"Sir JOHN A. MACDONALD. I will take my own course about that; and it will be under my responsibility it will be issued. The hon. gentleman says the answer ought to be made here. It could not be given here, because we have to trace up the facts and the evidence of the statements of sundry agents which the hon. member for West Huron quoted."

Then he goes on to recite some information, and he concludes:

"I would have been very glad to have laid the evidence before the House, but it was only the day before yesterday that I received it from the far North-West. It will, however, be published and distributed.

"Mr. BLAKE. We will all be anxious to receive the exculpatory or explanatory statement of the hon. gentleman, but why should he not lay the material now on the Table before publishing it, since he has the material? The hon. gentleman had the right to make, from the evidence that reached him, what charges he chose, but on examining it we find the evidence altogether fallacious."

There is evidently a little misprint there, I think it should be "might" find it fallacious, because the documents were not on the Table—

"Sir JOHN A. MACDONALD. I must analyse it.

"Some hon. MEMBERS. Let us analyse it.

"Sir JOHN A. MACDONALD. I must classify it under the different charges. You shall get the whole of the evidence, I can assure you of that. I shall have it carefully prepared in narrative form and distribute copies to every member, besides furnishing copies to the constituencies."

Now, I say that we were entitled to have this, and we have not got it. Here are extracts, apparently selected from it, just the course they blamed members here for. They said the hon. member from West Huron had not given the context. Here is precisely the same thing. The hon. gentleman will not pretend to tell me that the little extracts which we have here are all the report that has been made. How do I know that the context would not affect the meaning of them? I should not be any more unfair in assuming that than hon. gentlemen opposite were in assuming the other, and I should be still less unfair, because they had the opportunity of referring to the reports which we quoted from and seeing the context, but I have not had the opportunity of seeing the documents from which they quote, because they have not been laid on the Table, as the First Minister promised they would be. Therefore, I say it is not fair that judgment be asked on this question upon the recital in this document. But I want to say this: I suppose this document answered the hon. gentleman's purpose politically, which it was intended for; but I think the First Minister will admit that it is not the proper way to answer statements and charges made on the floor of Parliament that there should be no answer given at the time, but that he should instruct his officers, if that was the way it was done, or that he, even if he did it himself, after Parliament rose, should prepare a document from information which he had received, but which were not public and open to everybody else—that he should select from that certain cullings, place them in narrative form and send them to the country, and say: "Judge from that how false was the judgment against us made by gentlemen opposed to us." I think the First Minister will not contend that that would be a fair method of parliamentary procedure at any rate, whatever object it might serve in a political campaign. It is on the floor of Parliament where charges should be made, and it is there that the answer should be given, and in this case the answer was not given. But the House must remember that I said that I do not make a charge against the First Minister, because he was very ill at the time; but it seemed to me that when he recovered sufficiently to be in the House, and had a certain amount of evidence in his possession which, he said, would refute those charges, we should have had that evidence placed before us. At any

Mr. PATERSON (Brant).

rate, we should have the evidence before us that was promised by the First Minister before we came to discuss this item to-night. I will not attempt to go into a criticism of all the speeches of other gentlemen. Another gentleman made a speech, in which he took up the contents of this pamphlet, and gave his version of it. I have not the least doubt that if he were in the House he would be prepared to substantiate what he believed to be the correct statements he made at that time. But I will say emphatically that I will not allow the First Minister, or any member of this House, by himself or through any of his officials, to cast doubt or discredit on statements I made here, without giving me the opportunity to show that I was correct in what I said, or having found that I was incorrect, to say so and express regret. I am not in the latter position; I have not found that the statements I made were incorrect. I maintain that the statements in this pamphlet with reference to what I said—and the only question dealt with in it is the flour question—are incorrect. This pamphlet has this motto on it: "Every breach of veracity indicates some latent vice or some criminal intention which the individual is ashamed to own." They then take an extract from my speech and place it inside the cover that bears that motto. I do not propose to rest under this imputation. When I made my comments on the Indian Department I made them realising that those who criticise that Department must remember that it is a difficult Department to manage, that they are dealing with a class of individuals very difficult to manage, and I never did desire unduly to press the Department in these matters. I was calling the attention of the Government to the fact that it seemed to me that, in some cases, our officers in the North-West neglected their duty and were careless in the performance of their duty, to the great injury of those poor ignorant wards of the nation, thus imperilling the peace of the country; and it was with the view that the good name of Canada, enjoyed in the past for fair dealing with the red man, should be maintained, that I spoke with reference to these matters. I pointed out that with reference to some of the officers of the Minister in that country, that there had been gross negligence, and that suffering and even death had occurred in consequence, and I made those statements on the authority of the reports of their own officers. If the First Minister will look through the remarks I made at that time he will see that I expressly bore testimony to the kindly feelings shown by the Deputy Minister of his Department. My charge was not against the officers of the home Department, but against the officials in the North-West, whose conduct I thought should be investigated, and if those charges were found to be true, other men should be put in their places. But I found my remarks were not received in the same spirit, and an effort was made to show that the report from which I quoted did not bear out my statements. They say here:

"THE QUESTION OF FLOUR.

"Having dealt with the speech of Mr. Cameron, it may be proper to consider that of Mr. Paterson of Brant, respecting flour of inferior quality delivered to Blood Indians in 1883. His text was a report made by Dr. Girard, who said:

"Since the 27th of September, over twenty deaths occurred on that (the Blood) reserve, and most of them from the same complaints—erysipelas, swelling of the glands of the neck, dyspepsia, &c. On all the reserves, except that of the Stonies, I found the houses of the Indians too close one to another, and on the first occasion I shall advise them to pull them down another year and have a space of about 100 feet between each house. The beef issued is of first quality, but the supply of flour is very poor and of bad quality. The instructor told me he used some of it and the dough, though prepared with hop yeast, made a poor and doughy bread. The quantity now on hand will just last till May or June next. I pity them."

"On the strength of this testimony, Mr. Paterson argued at great length that the Government was supplying the Indians with food which caused sickness and death.

"It will be noticed that there is some disagreement between Mr. Paterson and Mr. Cameron. The latter says they could not get beef and were forced to eat pork. 'The beef,' says Mr. Paterson's witness, 'is

of first rate quality, but the flour is bad.' 'The flour,' says Mr. Paterson, 'spread disease and death among the Indians of the North-West Territories.'"

Now, you see how manifestly unfair that is. The member for Huron was probably speaking on some entirely different points from what I was speaking of. I was not bound to make my statement regarding Treaty No. 7 harmonise with the reports made by the hon. member for Huron about Treaty No. 4. Yet, we are here in this document, which is said to give the people full knowledge, placed in the position as if we were speaking with reference to the same band of Indians, dealing with the same subject. I am dealing with the report that came under my own notice, with reference to the Indians under Treaty No. 7. The writer of this document does not give the full report, though he must have had access to it, because it was in the speech I gave the House. I gave the whole text of the report, and it was not on Dr. Girard's letter that I based my charge. I did not base my charge solely on this testimony. I gave other testimony which is reported in *Hansard*. On referring to that report, the First Minister will find I was justified in the statement I made, not alone from what Dr. Girard says, which alone is quoted in this document, but from other testimony. I quoted the statement of the Deputy Minister that such was the case. Here is the memo. which the Deputy Minister sent to the First Minister with respect to this flour:

"Department of Indian Affairs.—In connection with the report of Dr. Girard, the medical attendant upon the Indians interested in Treaty No. 7 North-West Territories, to the effect that he considers the sickness that has prevailed among these Indians during the past year, which resulted in many cases fatally, is attributable to the quality of the flour the undersigned begs to report "

He then goes on to report that he submitted samples to experts who condemned the flour as unwholesome. There is what the Deputy Minister wrote, and, as I stated in my speech on that occasion, there is another report of Dr. Girard's giving more express testimony. I referred also to the fact that the Deputy Superintendent General was among the Indians, and that he stated the sickness and death among the Indians was attributable to the bad quality of the flour. In the concluding part of his statement, after detailing to the First Minister the steps that had been taken to recover the amount of money illegally got by these contractors for the delivery of this flour, the Deputy Superintendent General adds these sentiments which do credit to his heart:

"But the suffering which the poor Indians have endured from sickness by feeding on this unwholesome flour, and the number of deaths which have occurred are above all considerations of loss of a monetary value being such as cannot be remedied, but can only be deeply deplored by the Department which has just been unwittingly used as an instrument for contributing towards this suffering and mortality."

The gentleman who compiled this pamphlet states that the charge that the flour was unwholesome and the cause of death was a charge made by myself, who never saw the flour, and knew nothing more than was gathered from the official report; and he adds that the Indians died from disease not occasioned by bad flour, but by their living in overcrowded houses and so on. Now, the only statement which I made, which is called in question, is with reference to flour; and my statement has been borne out by the Deputy Superintendent General. Samples of flour were brought down to Ottawa, and submitted to experts there, who reported that it was unfit for human food. There is also the testimony of the medical superintendent, and the deduction drawn from it by the Deputy Minister, and the further fact that he states expressly that the sickness which resulted fatally was caused by the unwholesome flour. It is evident from the correspondence there were other reports from Dr. Girard which are not given. The matter was one which should fairly be brought before the House. It was not brought, not for political capital, but for the pur-

pose of showing the Government the necessity there was for greater vigilance and care. I asked at that time whether the agent Denny, who subscribed his name to the statement that that flour was correct, was in the employ of the Government, and I said I was glad to find that, though his name appeared in the pay list of that year, it was dropped the subsequent year. I hoped he had been discharged altogether, but I find that another officer, who had also certified to the flour, was still retained. I mention this because, when it is brought to the notice of the Department that officials have neglected their duty, or been guilty of connivance, or proved themselves unable to tell good flour from flour like that, should be removed from the Department. On a subsequent occasion I referred to another report respecting the management of the Indians, showing that there were some 2,000 of a band, for some months, without hardly any attention at all being paid to them. The First Minister did just touch upon that charge, and said they were Sioux Indians who should have been on their reserve, and the policy of the Department was that they would not obtain rations until they would go on the reserve. There may be something said on that, as it is the policy of the Government to force them to go on the reserve; yet, after all, we find that the Government did not intend to let them starve. The point, however, to which I call attention is that Mr. Dewdney did not seem to pay any attention at all to the remonstrances sent him. Colonel Irvine telegraphed him on the 23rd of September, 1882, the state in which the Indians were. Mr. Frank Norman, on the 2nd of October, sent him a communication making strong representations to a like effect. Then, Fred. White, on the 19th of October, nearly a month after the first dispatch, sends a very pressing telegram representing this condition of affairs. So that the letter of the 23rd of September, from Lieutenant Colonel Irvine, who feared danger from the Indians, and asked for an immediate answer, was not answered until the 27th of October by Lieutenant Governor Dewdney, though other officers had reported in the meantime. Even then, there was no relief given until, I think, about the 26th of February, when there were instructions given to increase the rate. At that time, I called attention to the fact that, if the First Minister's explanation that it was a part of the policy of the Department to force the Indians to go on the reserve, and therefore, to make them starve, in order to compel them to do that, was correct, and his statement that, if they went on the reserve, they would be attended to and their wants supplied, was true, another medical officer reported from the reserves that there was a state of destitution and starvation there also, which made the Indians reckless. I may repeat it, so that the First Minister may see for himself that the charges which I made from reports which were brought down to the House, I was warranted in making, and that some explanation should have been given. The officer of the Government on the reserve of Pi-a-pot and the Assiniboines, in 1884, made a report, not in reference to the Sioux, who would not go on the reserve, but in reference to those who were there, and who, according to the policy of the Government, were entitled to be attended to. After enumerating a number of diseases from which they were suffering, he adds:

"And starvation, if the last can be recorded as a disease. I find that in the last three months, thirteen deaths have taken place in each reserve, in all twenty-six, a very heavy death rate, and from all I can gather, death has been accelerated, if not immediately caused, by the scant supply of food served out to these Indians. At the present time, this condition of starvation is more evident among the Assiniboines, as the Crees have lately obtained supplies by cutting wood. I saw several children in the Assiniboine camp worn and wasted, and unless properly fed must die in a few days. The old medicine man asked me if I could give him some medicine to have by him, that would be helpful when the Indians fainted, as from their scanty and insufficient rations a number of them suffer in that way. It may not come within my province to report this condition of starvation, but I am well satisfied that if they were sufficiently fed, there would be less tendency to illness among

them. I may also add, that from the way they have been allowed to starve, a firm determination was expressed by both Pi-a-pot and Jack, that as soon as they could travel they would forsake the reserve and go west again."

I have read that from *Hansard*, but I have the document under my hand of the officer of the Minister who reported that, I think that hon. gentlemen will agree with me that, when reports come down and come under the observation of a member, when they are brought before the attention of the House, they are not to be met by a statement that it is not so, or by being ignored, or by saying that a pamphlet which has not been submitted to Parliament or scrutinised, the contents of which are taken from documents not before us, is to be alleged as a proof, and we are to take it for granted that the matter is thus proved. I called attention to that because the First Minister said he would attend to the Indians when they were on the reserve, and these Indians were on the reserve, and the effect of the treatment was such that they had become dissatisfied with the reserve and told this Government officer that, as soon as they could, they would leave the reserve and go west again because of this condition of things. I made this statement without wishing unduly to press a charge against the Government, because I recognised that it is a difficult matter to administer this, but it seems to me, as I said a moment ago, that, when we have such an item for general expenses as we have here, \$125,000, when it is remembered that out of a total of \$843,000, there is only about a half that goes to the Indians, and that a large sum of tens of thousands of dollars of this money which is voted by Parliament goes for officers who are appointed for the very purpose of looking after and attending to these matters, I claim that, when they are found to be neglectful of their duty, as is abundantly proven by these reports, their conduct is to be reprobated, and that, if they are allowed to remain in their positions, and no cognisance taken of their action, it would do harm, and the record which the Canadian people have had, as distinguished from the people to the south, would be in danger of being marred. That was my justification for bringing forward this statement, and I do not feel that it was proper that a pamphlet should be issued in this way, when the documents from which this pamphlet is in part compiled were not laid on the Table of the House, so that we might have an opportunity of investigating them. I do not say that there was the same sweeping assertion in regard to myself in this pamphlet as in regard to another gentleman. He has not asked me to enter into the defence of his statements, but there was a document issued from the Department charging a member of this House with having made statements which were false and incorrect, charging that in some cases he had not given the full text but only a selection, while the Department itself was giving only selections, and those not from documents which were accessible to others than those in the Department itself. That was not a fair way of discussing public questions. It may serve political purposes, but it will not serve the interests of parliamentary discussion and parliamentary investigation to conduct our affairs in this way. I have trespassed thus far upon the time of the Committee, and for doing so I make no apology whatever, because the First Minister expressed a desire that this matter should be talked over when the opportunity presented itself.

Sir JOHN A. MACDONALD. I can have no objection to the hon. gentleman making the statement he has made, or to the tone and temper in which he has made it. He has spoken of a reference made to his speech in a previous Session in this pamphlet. I say at once, without any hesitation, that that pamphlet was issued by the Department of Indian Affairs, and I have no hesitation in taking the whole responsibility for that pamphlet. I have no hesitation in saying that that is the statement which I desired to make in reply to the speech of Mr. Cameron

Mr. PATERSON (Brant).

when he was a member of this House. The hon. gentleman has stated truly that I could not answer the statement of that hon. gentleman, because for nearly two months I had been confined to my house; but, if I had been here and had heard his speech and that debate, I could not have answered it any more, I could not have answered it at all, from the fact that his speech was an elaborate excerpt from statements of various officers in the North-West, compiled carefully and astutely from a series of reports covering several years. Those were the reports and statements of officers and others from different points in the great North-West, spreading from the foot of the Rocky Mountains to Port Arthur. I had no means of answering any of those charges had I been in my place, had I heard the charges which were made against the Government. All I could do, as the head of the Department was to send that speech up, marking the charges which were made against the several officers and affecting several reserves and several bands of Indians, and to call for a full report. That was a matter of necessity; and when those replies were received, I felt it my duty to myself, my duty to the officers, my duty to the Department, my duty to the North-West, to state, as I believe, calmly, candidly, and without violence, the answers that had been furnished to the Department by the various persons who were charged in the North-West. That pamphlet was published, it had to be published. The *Hansard* was published, the papers in the interest of the Opposition were loaded with these charges brought against the administration of Indian affairs. It was absolutely necessary, in self defence, that that pamphlet should be issued, and I say that that pamphlet has never been answered, and cannot be answered. It is a truthful pamphlet. There may be, in going over a statement of an infinity of details, small errors of date, and small particulars, but I believe that that pamphlet is an honest, a truthful, a satisfactory answer to the speech that was made by Mr. Cameron. Mr. Cameron is not here, so I shall not characterise, in his absence, as I have done elsewhere, his speech. I have not the same charge at all to make against the hon. member who has just spoken. The hon. member is, I think, an ardent politician, and would be just as glad to make an effective attack upon the Government as Mr. Cameron. But I draw a great distinction between the hon. gentleman and Mr. Cameron. I believe the hon. gentleman is incapable of making a statement that he does not believe to be true. I believe that the hon. gentleman, who has taken a great interest in Indian matters, felt it his duty—I have a right to suppose and believe that he felt it his duty—to bring up that subject about the flour that he now speaks of. The answer which is published in that pamphlet, is the reply given by the officers of the Department. I do not think it would be necessary, I do not think the Committee would listen with patience if we entered into a re-discussion of that question about Indian matters. Let us have a field day, if we are both spared, early next Session, but not as we are approaching the dog-days.

Mr. PATERSON (Brant). Mr. Cameron might possibly be here from some constituency.

Sir JOHN A. MACDONALD. If Mr. Cameron is here, then I shall be able to state more strongly my opinion about what he has stated than I can do in his absence. I do not think it would answer any good purpose; I will only say one thing about what the hon. gentleman has said. He says these Indians on the reserve have suffered, that we allowed them to starve. Well, with regard to the Indians that were not on the reserve, I stated before in Parliament what the policy of the Government is, what it will be as long as I have anything to do with it. The Indians like to hang about—and I would ask my hon. friends from the North-West if it is not so—they like to hang about the police stations, the land agencies, wherever there is a chance

to get food. They will beg from the employés, and if there are but few white men there, they will threaten them in order to get food. We will not allow them to congregate in large bodies, especially in the vicinity of the boundary, where they can slip across from one country to another, and where they are a source of danger. In the case of the Indians to which the hon. gentleman has alluded, there was a large body of them there. They were a source of very considerable uneasiness, they were communicating with the Indians across the line, they had no business there, they ought to have gone to their place which was reserved for them and where they would be taken care of. But they would not go, and day after day we had to put them on half rations, on quarter rations, and we had to reduce them to starvation point before we could get them to go to their reserve. And then the hon. gentleman says they were not treated well on the reserves. Why, an Indian who is healthy is a strong man, and just as able to work as a white man. The white man goes up to the North-West and works for his living. What does the Government do? The Government gives the Indian a reserve, he has lands reserved for him, he has seed grain given to him, he has implements of husbandry given to him, he has cattle given to him in order to plough his land, he has everything requisite to start in the successful cultivation of the land. The white man goes there and has to furnish all these things for himself. But because these Indians are too lazy to work, they eat the cattle instead of ploughing with them, they throw themselves upon the provisions they have a right to get, they eat the seed grain, and then they say they are starving, and they won't work, and they are made the object of sympathy by people who do not know anything about them. Those are the real facts. The reserves are carefully chosen, the Indians are consulted in the selection of the reserves, the Indians are carefully taken care of. We have an Indian agent on every reserve of any importance. If they are small ones, an agent will attend to two or three of them. We have farm instructors, carefully selected, and, on the whole, the selection of these instructors has been very successful. Occasionally they have broken down, occasionally they have proved unworthy, and they have been dismissed, and others have been employed in their places. But, on the whole, I say that the administration of Indian affairs in the North-West has been exceedingly successful. I have lately received the strongest means of saying so, because I have the communications, which I need not trouble the House this Session to read, but which I may lay before the House next Session, with reference to the conduct, for instance, of Lieutenant Governor Dewdney, who has been attacked most severely for his administration of affairs; I have documents signed by every man of importance in the North-West, commencing with Bishop Grandin and with Father Lacombe, with the Anglican and Methodist clergymen, with the members of the Council, all speaking with the greatest gratitude of the manner in which Indian affairs have been managed during the last two, or three or four years. Hon. gentlemen who come from that country, and who can speak with some knowledge, can say that the administration of Indian affairs in the North-West has been careful, has been humane, but has been firm, and whenever complaints have been made it is because that firmness did not suit the lazy, indolent Indians set up by interested parties who desire to have confusion instead of peace and order. During the troubles that arose in the North West there was no discontent among the Indians. I have no hesitation in saying there was no discontent among the Indians. They were coaxed by those who took up arms, for various causes to which we need not refer just now, the savages were coaxed to resume their old habits of warfare. Warfare was the delight, the game of the redmen. The young men were animated by the stories told by their fathers and grandfathers, the old warriors, who

could count their scalps and call the young men of the present day women. The Indian tribes could only be restrained by kindness and firmness, and those have been successful, and not a shot would have been fired by the Indians on account of discontent on the part of the Indians themselves. I must refrain from entering into this subject at greater length, because it is not exactly germane to the questions that are before the Committee to-night. Whether the Government of the North-West has been good or bad, we must pass these votes. These are the annuities granted by treaty, these are supplies which must be given to the Indians; and, therefore, I will say no more. But I repeat that if we are favored with the presence of Mr. Cameron in Parliament next year, and he is a very able man, and I dare say will be an efficient addition to the ranks of the hon. gentlemen opposite, I have no doubt this subject will be up. I can only say that I believe and know that the Department of Indian Affairs has been managed honestly, with an earnest and sincere desire to do good to the Indians. I believe that the staff of officers, both at headquarters and on the plains in the North-West, is as efficient as any Department that can be found, consisting of so many men with so many characteristics, and with so many extraordinary duties—I believe that, on the whole, we have got a body of men of whom we may be proud. There are men of different degrees of capacity, there are different degrees of smartness and tact in the management of Indians; but I can only say this, whenever they hear any statement at all authentic respecting any men employed in the North-West, that either from bad conduct or from indisposition to do the work, or inability to do it—and there I think, want of tact and ability to manage the Indians is just as bad as if an officer had committed a positive fault—we transfer him to some other place where he can be useful, and if he cannot be useful he is dismissed. The result is that we have an efficient and good body of officers. Of course, the Committee are aware, I understand, that mistakes may occur and unfortunate mistakes. A misapprehension on the part of an Indian or Indian tribe may cause most serious consequences. We, therefore, take the greatest pains in weeding out men who, for want of temper or ability, cannot manage the Indians. I am glad to speak in the presence of hon. gentlemen who come from the North-West and who know the Indians, and the services of the Indian Department; and I can confidently leave to them, if this debate is to be continued, the vindication of the general conduct of the Indian Department in the North-West.

Sir RICHARD CARTWRIGHT. There is one point which the hon. gentleman has not touched and which I think it would have been well he had alluded to, and that is this: When last year the hon. member for West Huron (Mr. Cameron) made a series of charges against the hon. gentleman's Department, the hon. gentleman on his return to the House, to the best of my recollection, took the occasion to state formally in his place that he proposed to cause an impartial commission to be issued, before which commission he invited Mr. Cameron to appear and prove his charges. That was, I think, the right way to meet charges made with the circumstantiality that Mr. Cameron made them in his place in the House. The Minister did not do that. He has caused his Department, on his own responsibility, to issue a sort of polemical reply to Mr. Cameron. We cannot accept this statement made by the accused parties, that is to say by the Indian Department, as at all equivalent to such a commission as the hon. gentleman proposed to issue. Those who know Mr. Cameron know perfectly well that he would have been sure to have taken advantage of that commission, and even at considerable personal inconvenience would have appeared before it and there substantiated, to the best of his ability, the charges he made. Before

such a commission, where witnesses could have been examined if need be on oath, these matters could have been properly investigated, and if, after the evidence was published, it appeared that the Department was free from blame in these matters, the Prime Minister and the Department might have been held fairly exonerated; but I do not think the mere issue of a reply from the Department is at all a satisfactory answer to charges preferred by an hon. gentleman in this House. Either they should have been dealt with by a committee of this House, or before such a commission as the hon. gentleman proposed. I have had not had time to examine into this pamphlet minutely, but a considerable number of the statements relied upon appear to me to be fragments from letters, and from reports, of which the House is not in possession, of documents in the hands of the Department itself. That is not the way in which I think such charges as Mr. Cameron made should have been dealt with. Moreover, the House I think should have had that information before it in full, not mere extracts of it. The whole matter cannot be dealt with to-night, it would be too late to go into it; but in common justice to Mr. Cameron it must be observed that as yet no such opportunity, as the First Minister has proposed to give him, has been granted to that gentleman of proving those charges he thought fit to make, and until this is done no one can say that Mr. Cameron has been unable to prove what he alleged in his place in this House.

Sir JOHN A. MACDONALD. It is quite true that I did make that statement that a commission would be issued, and that commission has not been issued. One of the reasons, as I have stated already, was this: that I did not think any person who read Mr. Cameron's speech and who read the pamphlet would ever think of asking for a commission, the answer was so complete and thorough. I do not think the hon. member for South Oxford (Sir Richard Cartwright) has read the pamphlet; he heard the speech. The hon. gentleman said, and so did the hon. member of Brant (Mr. Paterson), that this pamphlet contained a number of extracts. They were to meet other extracts made by Mr. Cameron. You take extracts that are pertinent out of a report. You do not publish the whole report. Mr. Cameron made a number of extracts and quotations, some I was going to say garbled, but I will not say garbled, but, at all events, they were not literal; and the pamphlet, if it is to be read at all, must pursue the same course. I look upon it in this way: if I had been present when Mr. Cameron made his speech containing an infinity of quotations from the reports made by the officers of the Department covering many years, and if I had been supernatural as regards information I would have arisen and met the quotations, and with the answers the House would have been satisfied. Mr. Cameron made an attack on the Department; he made certain quotations and extracts from the reports, and if I had arisen and made an answer, and quoted such portions of the various reports as would be a sufficient answer, the House would have accepted it. But as I could not do that, as no mortal man could do it, a pamphlet was written in answer to the speech of the hon. gentleman, just as if I had delivered it in this House. If any hon. member will think next Session, after considering the whole matter, that the country should be put to the expense of a commission of enquiry into the workings of the whole machinery, the Government will not object to it. But I think it will be money thrown away. We all know the spirit in which the attack was made by Mr. Cameron. Mr. Blake, whose absence I greatly regret, whose ill-health I, as a Canadian, deplore—Mr. Blake, in the electoral campaign which preceded the election, at one place quoted two grounds of attack upon the Government, upon the Indian Department, from Mr. Cameron's speech, and he said that on those two grounds he was satisfied to rest the indictment

Sir RICHARD CARTWRIGHT;

against the Indian Department. Then, afterwards, when he saw that pamphlet he stated that those quotations which he made, those subjects of attack which he made, were made on the responsibility of Mr. Cameron, and that he would not be responsible for them, that he had no wish, or desire, or inclination, to follow the matter further, because he saw—it was patent in the evidence to Mr. Blake—that that statement was untrue.

Sir RICHARD CARTWRIGHT. No, he did not say that.

Sir JOHN MACDONALD. I do not say that Mr. Blake said so, but I say so. I say it was so patent to him that he stated he threw the responsibility of the charge he brought against the Indian Department upon Mr. Cameron, and he had no desire or inclination or wish to follow it any further. He cannot follow it further, because the evidence was clear, and beyond the possibility of a doubt, that Mr. Cameron made a statement which was at variance with the facts of the case.

Sir RICHARD CARTWRIGHT. That is the point at issue. Mr. Cameron makes certain assertions, and the Indian Department makes certain assertions. It is true, I have not verified the statements in the pamphlet to which the hon. gentleman refers; it would take some time to do that. I did not say that I had not read it, but I said I had not had time to read it carefully. I examined it, and I saw that there were gross contradictions between Mr. Cameron and the Department, or the hon. gentleman at the head of the Department, whichever it be; and the position I took was this: that where two hon. gentlemen, the Premier on the one side and Mr. Cameron on the other, are practically contradicting each other in this House, the proper way to deal with those matters is either on the floor of this House, if they happen to be here, or through a commission, as the hon. gentleman proposed fairly enough, or before a committee of this House, if the subject is too tangled or intricate to enter upon here; and I agree with the hon. gentleman that, if we were to enter into that discussion here, it would not be this night, or the next night, or the next night again, in all probability, that we should be able to thresh it out. We cannot go into this discussion at this stage of the Session, nor could we well do it this Session if it is to be done before a committee or a commission. But the hon. gentleman may remember that he used very strong language indeed about Mr. Cameron, and Mr. Cameron, no doubt, used pretty strong language about him. In that respect I may say, without offence, that there was a pair of hon. gentlemen; they bestowed very strong terms on each other's conduct in the matter. But as Mr. Cameron is not here and the commission has not been granted, I take the point that it would be necessary, in common fair play and justice, that Mr. Cameron should have an opportunity, at any rate, of making good his charges, if he can make them good; or else, until that opportunity is given him, it is not reasonable or fair to condemn him for stating what he could not prove.

Sir JOHN A. MACDONALD. I have been very guarded in my remarks about Mr. Cameron.

Mr. DAVIES (P.E.I.) I do not propose to enter into a lengthy discussion on this matter to-night. As the hon. gentleman has said it will probably take many nights to thresh it out, and as the hon. member for South Oxford (Sir Richard Cartwright) says, we could not think of entering in the dying hours of the Session, upon an examination of the speech made by Mr. Cameron, and the reply issued from the Indian Department, and endeavor to draw conclusions which of these statements is the true one. But I may say this very frankly, that I have also read the speech made by Mr. Cameron with great care, and I have also read with great care the reply which issued from the Indian Depart-

ment. I took the trouble to compare the citations made in the Indian Department pamphlet with the original from which they were supposed to have been taken, and I also compared the citations made by Mr. Cameron in his speech, with the reports from the Indian Department from which they purported to be taken; and, after spending a great deal of time over it, I came to the conclusion that as Mr. Cameron was not in the House it would be nothing but fair to him that I should take advantage of a few hours to explain the conclusions I came to as to who was telling the truth. And I may say frankly, while Mr. Cameron's quotations in one or two respects, and those of a trival character, are not correctly reported in the copy of the *Hansard* from which the Indian Department quoted when they published this document, still, substantially, every quotation made by Mr. Cameron in his speech is correctly transcribed in the corrected copy of the *Hansard*. Hon. gentlemen know well that when the *Hansard* is first issued, after a long speech has been made, particularly when that speech bristles with quotations, there are often verbal inaccuracies and mistakes; and when the Indian Department came to reply to Mr. Cameron they took care not to take the corrected copy of the speech in *Hansard*, but the original and uncorrected copy of *Hansard* and hold him bound by that. Now, hon. gentlemen will see that that was an unfair way of treating the question, I have taken the corrected copy of *Hansard*, and have compared Mr. Cameron's corrected copy of his speech with the Indian Department reports from which he purported to make the extracts, and I find in every case where he has made a substantial charge, the proof can be produced from the departmental reports themselves.

Sir JOHN A. MACDONALD. They cannot; I deny it entirely.

Mr. DAVIES (P.E.I.) Well, the hon. gentleman says himself he has not taken the trouble to do that and I have taken the trouble. That is the difference between us.

Sir JOHN A. MACDONALD. To do what?

Mr. DAVIES (P.E.I.) To verify the accuracy of Mr. Cameron's quotations from the Indian report.

Sir JOHN A. MACDONALD. I have gone over every paragraph in the pamphlet.

Mr. DAVIES (P.E.I.) Hon. gentlemen may differ as to the deductions to be drawn from certain statements, but I am speaking with reference to the statements themselves. Whether Mr. Cameron drew proper deductions from them or not, will be a matter we will discuss at length when this question comes up. I hope sincerely that the Opposition will have the advantage of Mr. Cameron's presence at the beginning of next Session, when the hon. gentleman says he proposes to have a field day upon this question; and I promise him that if he does, Mr. Cameron will be enabled to take the documents themselves and read from them and prove that the citations he made at the time are correct citations, in every substantial case. There are one or two little inaccuracies which do not affect the charges he made, but substantially the charges are supported by the citations he made, and those citations are correctly transcribed in a corrected copy of the *Hansard*. It would take a long time to go into this to-night. I do not propose to do so, as I am sure the House would not like to have a two or three hours speech on the subject. I do not wish to take up the time of the House, but I have the material and I have spent a good deal of time over it, because of the strong charges which the hon. gentleman brought against a man whom I respect very highly, and who, I believe, proved his case. I will say of the hon. gentleman that I had the honor of sitting with him in this House for four years, and while he struck hard against his opponents, he always struck straight from the shoulder and not below the belt. He was a gen-

tleman with whom I, at any rate, was proud to be associated in political life. I will not go into a lengthy discussion; but, after having examined the charges made against him, I have no hesitation in saying that, in very many instances, these charges will be found to have been deliberately falsified in this book which is not signed by anybody.

Sir JOHN A. MACDONALD. That is not the case.

Mr. DAVIES (P.E.I.) I can prove that some of the quotations here are incorrectly copied from the books they purport to be copied from.

Sir JOHN A. MACDONALD. That is not the case.

Mr. DAVIES (P.E.I.) I can produce the book, and I promise the hon. gentleman that when his field day comes, if my hon. friend from Huron is not here to do it, I will do it for him.

Mr. PATERSON (Brant). I think the point I brought before the First Minister ought to receive attention. What I say is this: The First Minister said he would give a commission; he did not do it. He said he would lay all the evidence before the House; he has not done that, and I want him to do that. We do not want extracts; we want the whole evidence before us; we want to know where these quotations are from, and I think we are entitled to know it. Our statements are made from reports of the Department brought down from the House and accessible to everyone, and the supposed refutation of them comes in the shape of extracts from documents that the House is not in possession of, that we never saw, that we have only the word of the Department for. I do not doubt it, but I want to see the documents.

Mr. PERLEY (Assiniboia). I do not desire to take up the time of this Committee at any great length, but having lived in the North-West some four years, and having been intimately acquainted with the treatment of the Indians there, I may be allowed to say a word or two. I went into the North-West Territories in the spring of 1883, and since then I have been closely associated with four or five reserves—that of Chief Piapot, who as you are aware, has been reported a troublesome Indian, and he no doubt is; Jack's reserve, which is close to my place; the Crooked Lake reserve, the reserve north of Regina, and the File Hills reserve. Now, I state here from my own actual knowledge that the statements made by the First Minister are in every respect correct, so far as these reserves are concerned; every letter of them is correct; and it is fair to infer that when they are correct as to those reserves, they are correct in regard to other parts of the country. I say that this talk about bad flour and bad meat is also incorrect. I have been on those reserves, and I have found that the Indians are getting good meat and good flour; the officials are a gentlemanly and well-conducted class of men; and the Indians, I think, are treated as well as Indians ought to be treated. I can tell you this: in that country the general opinion is that the Indians are treated too well; many have felt that they are treated better than the white settlers are. The statements made and circulated throughout the country about the Indians being starved are entirely incorrect, and I would not be doing my duty as a representative of that country, knowing the Indians as I do, if I allowed these statements to go uncontradicted. I do not want to take up the time of the House more than simply to say that the statements made by the hon. leader of the Government are correct in every particular.

Mr. DOYON. (Translation.) Mr. Speaker, I do not rise to make a speech—I do not wish to take up the time of the House—but I only wish to make a few remarks on certain facts which are probably unknown to the Government. The hon. Premier said, a few moments ago, that the

Indians were able to work, and that the Government had even furnished them with seed grain. I would like to know whether seed grain is distributed to the Indians of the North-West with as much impartiality as is shown in the distribution of seed grain among the tribes of the Province of Quebec. The Government are aware that, in the county of Laprairie, which I have the honor to represent, is to be found a rather numerous tribe, which is composed of rich people only. Some few weeks ago the Government caused to be distributed \$100 or \$150 worth of seed grain in order to aid the poor people of that tribe in sowing their fields, and in order to help them in supplying themselves for next winter with good bread and good meat, as the hon. member for East Assiniboia (Mr. Perley) has just put it. But if my information is correct, it would seem that these grains, potatoes, &c., were distributed to the friends of the Government only, that is to say, to the people who at the last election voted in favor of the ministerial candidate. For the last few days I have heard hon. members accusing the Government of favoring their own political friends by giving them offices and grants for public works in their counties. I have, myself, charged the Government with dismissing, for political reasons, people who faithfully fulfilled their duties. For all of this the Government have found an excuse, but I would like to know whether the Government will find an excuse when it is a question of humanity, and when they take the people's money to distribute it to the poor and give it to the rich, as I will prove to this House. The list of distribution was not prepared by disinterested parties, it was prepared by one of the chiefs, who was the right hand of the ministerial candidate at the last election, it was prepared by the agent of the Government himself, and, subsequently, it was found impossible to have it approved of by other chiefs. They refused to approve this list of distribution because they found it was unjust, because they found it was iniquitous. And you will be able to judge of the matter, Mr. Speaker. Grain was given to Mrs. Michel Nolan, whose husband is employed by Mr. Jockes and earns \$2 per day, and they have a son who is sixteen or seventeen years old and who also works every day. I ask whether these people had any need of the help of the Government to procure seed grain? But we have better still. Help was given to the chief's brother, Mr. Jockes; a bag of potatoes was given to him. It appears that he was ashamed to take it.

Several hon. MEMBERS. Oh, oh.

Mr. DOYON. (Translation.) I am not making a joke; I am stating a fact. This man has been selling potatoes all winter. Well, I ask the Government whether they distribute seed grain in the North-West as equitably as they did with regard to the tribe at Caughnawaga, whom I represent and who are perfectly known to me. Such are the remarks which I take the liberty of making. Mr. Louis Beauvais, who is the present chief of the tribe, was requested to approve the list and he refused. It was not through party spirit that he was unwilling to approve this list, for he refused to vote, either for my opponent or for myself, but he refused to approve it because he found it unjust. I make these remarks to the Government, because I say that when the Government distribute money, or grant offices, to encourage people to support them, people may complain, but others may approve them. But, when it is a question of humanity, there should be but one voice to blame the Government for pursuing such a course.

Mr. WATSON. I would like to ask the Minister how many Indians have withdrawn from the treaties in Manitoba?

Sir CHARLES TUPPER. Altogether about 2,000.

Mr. WATSON. I would like to ask how many have withdrawn from Treaty No. 1, and Treaty No. 2, and if any Mr. Doyon.

applications have been made by the Indians who have withdrawn to be reinstated? I also see that a number of the Indians who have withdrawn from Treaty No. 2 have asked to be allowed to keep their old holdings which they have held for years under the Manitoba Act, and I would like to ask if it is the intention of the Government to allow the Indians now classed as half-breeds to retain these holdings?

Sir CHARLES TUPPER. I will get the information.

Mr. WHITE (Cardwell). Those who have withdrawn from the treaties are in exactly the same position as other settlers who go into the country, except that they get their scrip.

Mr. WATSON. I find that the agent on the Fairford Reserve, Treaty No. 2, says:

"This reserve continues to be one of the largest and most prosperous in my agency, although several half-breeds have withdrawn from the treaty. These half-breeds, before entering the treaty, resided upon the reserve, and were in occupation of the same previous to the transfer to Canada, and in many cases have made valuable improvements, which they state they claim under the Manitoba Act, and they ask to be allowed to remain undisturbed on the reserve."

Mr. WHITE (Cardwell). That is an entirely different question, and it is under the consideration of the Government at this moment, how they can arrange with these people.

Mr. PATERSON (Brant). I notice that there is a reduction of \$8,615 in annuities.

Mr. WHITE (Cardwell). That decrease in annuities is caused by the withdrawal of Indians under Treaties Nos. 1, 2 and 5, which affects a reduction in the amount of \$8,615.

Mr. SCARTH. I can corroborate what the hon. member for Assiniboia (Mr. Perley) has said with regard to the Indian reserves in his vicinity. I have visited all these reserves, and not only these but the Touchwood Hill reserves, the reserves near Carlton, and the reserves in the Edmonton district. In every instance I can corroborate what the hon. the First Minister said. I have found these Indians contented and satisfied with their instructors, and improving their position. I wished to add my testimony to that of the hon. member for Assiniboia (Mr. Perley), as I have visited so many reserves, and I found them all in the same position.

Mr. MILLS (Bothwell). I am not going to enter into a discussion of the abuses which have grown up on these reserves, but the quotations made by the hon. member for South Brant (Mr. Paterson), and those made in the speech of Mr. Cameron, were quotations from the reports of the Indian Department; and I must say if those gentlemen had read the report of the officers of the Department, they would have seen it was not just the thing to say the Department was all right, that there had been nothing to complain of, and to bear personal testimony in this kind of way. If these statements made by the hon. gentlemen are correct, and no doubt they are, so far as they come under their own personal observation, it is clear everything is not right, because an officer who would deliberately convey to the head of a Department information representing that dishonesty had been practiced by certain parties connected with the public service, is not himself a fit man to be retained in the public service, if he is bearing false testimony. If the testimony of these hon. gentlemen is correct, the testimony of the public officers with regard to the Department with which they are associated, is false. If it is, they should not be retained in the public service.

Sir CHARLES TUPPER. I was in hopes we had got through and would have a few estimates passed.

Mr. MILLS (Bothwell). The hon. gentleman's friends have been making statements, and I refrain from taking up the time of the House, beyond what is barely necessary to answer them.

Sir CHARLES TUPPER. The hon. gentleman has just made a counter statement.

Mr. MILLS (Bothwell). I have here a circular issued by the Department, and this circular is based on the fact that information of the kind I have mentioned was given by the public officers, and the Department warns its officers, on pain of dismissal, not to put in an official document any information of the sort :

" You will, however, confine yourself simply to a narration of such facts as should appear in a report to be made public, and refrain from suggesting therein any policy which, in your opinion, the Department should adopt in the management of Indian affairs; as suggestions which may or may not be approved of and acted on by the Department should not be made in an agent's report which it is proposed to publish. Failure to comply with instructions in this respect will hereafter be regarded as an act of insubordination on the part of the reporting officer."

Sir CHARLES TUPPER. With regard to the item, agricultural implements \$26,511, the different reserves are now tolerably well supplied. The amount asked for is to provide against wear and tear and to supply new tools.

Mr. PATERSON (Brant). Is the same rule followed of calling for a special make of certain instruments, for instance, John Deer plough, Emery binder, or is it open to any maker to compete ?

Sir CHARLES TUPPER. I will make a note of that.

Mr. PATERSON (Brant). That is the last we will hear of it. The hon. gentleman has more notes than he can read over.

Sir RICHARD CARTWRIGHT. As respects the decrease in the item, seeds and grain \$15,674, I have no objection to the hon. gentleman trying to practice a much needed economy, but I doubt very much, in some of these cases, whether the actual results will correspond. The reduction in this case is enormous, being from \$20,000 to \$4,000.

Sir CHARLES TUPPER. It is a gratifying decrease.

Sir RICHARD CARTWRIGHT. We have seen these decreases over and again put down on paper in the Indian estimates, and then had \$300,000 or \$400,000 taken out by Governor General's warrants and other means of the same description to make them good. I doubt from what we know of the extent to which cultivation has progressed on these Indian reserves whether the Government will be able to supply the Indians with the requisite seed.

Sir CHARLES TUPPER. It is quite true there was great discrepancy between the amount taken out and the amount required, and that the Governor General's warrant had to be resorted to, and I drew the attention of the officers of the Indian Department and of my right hon. friend to it. I am assured these estimates have been made up with the most careful attention to that point, and it is believed that they will not require to be supplemented.

Mr. MITCHELL. When these Indian estimates were up in the last two or three years, I always took occasion to call the attention of the right hon. the First Minister to the fact that I thought the manner of letting these estimates and the delivery of the goods in bulk quantities was scarcely the course that ought to be pursued. And I think, on the last occasion that I called the attention of the right hon. gentleman to that fact, he stated that, while he quite approved of the suggestion made, he thought the time had scarcely arrived for it. I ask now whether the system is observed of letting the amount in bulk quantities to large contractors, or whether the system is pursued of allowing the delivery on different reserves or at given points, and so allowing the people of the country the facility of delivering them? There was a kind of pledge given that the system suggested would be adopted at an early day, and I would like to know whether that system is now being adopted or not.

Sir JOHN A. MACDONALD. I do not think that the hon. gentleman quite apprehended what I said on that occasion, because I did not at all wish to be understood to say that the contracts should be given out to large contractors, and that they should send their supplies to central points, and that the local transport should be used. I think that would be a mistake. We are obliged to economise, and it is quite clear that the present system of making contracts with parties who will deliver the articles at the place where they are wanted for consumption is an economical course. If, for instance, you were to make contracts to have supplies delivered at some of the principal points along the line of the Canadian Pacific Railway, you are to be at the mercy of the casual transport which you can get from those points over the whole of the prairie, and it would be found greatly to increase the expense. Of course it would be a good thing for the people in the vicinity of the various points if they could get their ponies and their little carts employed, but it is not in the interests of economy and certainly not of delivery. When you get large quantities—and our contracts are for large quantities—it is well that you should deal with large firms who can give substantial security, and whose names without security are sufficient of themselves. It is much more economical to get them to deliver the articles at the different reserves or at the points where they are required.

Mr. MITCHELL. I perfectly understood what the right hon. gentleman said. He may have misunderstood the proposition which I put forward on the several occasions to which I referred, which was exactly what I have stated now, and I understood the hon. gentleman approved of the suggestion, but said that the time had not arrived and the country was not sufficiently advanced to carry it out. As he says I misunderstood him, I am bound to accept his explanation, and that compels me to call attention to the reasons which justify the suggestion I have made. I thought, when quantities of flour, of bacon, of fresh beef, of clothing, of boots and shoes, and all that kind of thing are required, the advertisements should not be in bulk. For instance, it puts the clothier out of the market. He cannot go in and tender for flour or bacon or fresh beef and that kind of thing. One tender should be for fresh beef, another tender should be for clothing, another for boots and shoes, another for bacon, and so on for the different articles. This would give the advantage to our own people, and would enable the merchant in Ottawa, or in Toronto, or Montreal, or Quebec, if a tender for clothing is wanted, to tender for that clothing, and the goods may be delivered along the line at three or four central points. The same thing would apply to flour and to the other articles I have named, and the advantage of it, as the hon. gentleman admits, is that it would give the advantage of employment to our own people instead of letting it go into the hands of two or three large firms in that country. We know what immense sums have been paid to I. G. Baker & Co. and the Hudson's Bay Co. They have received large contracts each year. They have, no doubt, performed their work well. I have nothing to say to that, but we ought to give our own people an opportunity of, at all events, doing a portion of that work in the western country which they ought to do, that is the transport portion of it; and I think we ought to give our own manufacturers in Canada the right to deliver these goods at given points, without allowing them to go through the hands of middle men, such as the Hudson's Bay Co. and I. G. Baker & Co. I have made this point before, I have made it in three successive years, and I understood the First Minister to approve of it. He says I misunderstood him. I do not think I did. But now I do not want to misunderstand him. He says the present system is an economical one. No doubt it is one that gives less trouble to the officials of

the Department, but I have yet to learn that the country is made for the officials. I think the officials are made for the House and the country. If it gives them the greater trouble, that is what they are paid for, and, if this will give an opportunity to our people to obtain some return for the great outlay they have made in that country, the principle ought to be adopted, if it is a right and fair one. So far from increasing the expense, I believe it would decrease the expense though, I admit, it would not pay such large profit into the hands of the large operators. I do not believe there would be any difficulty in getting perfectly responsible people in this country to do the business, and I do not see why two mammoth corporations in that country should have the monopoly of that work and make the whole people of that country subservient to their interests and under their control. I think these points are well taken, and I believe that the people of the country will approve of this proposition, which I think deserves more consideration than the Department seems to have given it.

Sir JOHN A. MACDONALD. I think we are at cross purposes. I thought the hon. gentleman was speaking merely of transport,—

Mr. MITCHELL. No, I meant the whole.

Sir JOHN A. MACDONALD,—but he went on further, and stated that contracts could not be given for any particular article, that, for instance, a man could not make a tender for cloth or saddlery or anything else, but must tender for the whole. That is a mistake. Any party can tender for any individual article mentioned in the advertisement. That is a mistake of the hon. gentleman. No doubt that was the mode in earlier days, but now the tenders are received for any given article in the advertisement. As to the question of transport, the Government cannot be going round making contracts at every station where there is a delivery of supplies. It would be an interminable business, and not only troublesome but very insecure. The contractors who agree to deliver flour, or pork, or anything else at any particular place furnish the transport. It makes no difference whether the Government or the contractor pays the carter to take the goods to the point where they are to be delivered. The market price is paid just the same for the carriage of these goods. They do not lose it at all. It would be really a trouble and an insecurity if at every station from Port Arthur to Calgary where they may be delivered, there must be a separate contract, first for the Government themselves, and, second, at every station for the transport of the goods to the reserve which is nearest that station.

Mr. MITCHELL. Do I understand the right hon. gentleman to say that there is a separate contract given? For instance, a separate contract for clothing, or for boots and shoes, and a separate contract for agricultural implements? That separate tenders are received for these leading articles.

Sir JOHN A. MACDONALD. Yes.

Mr. MITCHELL. Then thus far the principle I have advocated has been adopted.

Sir JOHN A. MACDONALD. Yes.

Mr. MITCHELL. That portion of what I have been advocating for three or four years has been adopted. On the question of transport, of course, there may be a difference of opinion. I want to see the people of our own country get the preference in availing themselves of these contracts, so far as they are accepted, for this reason: A man in dry goods may get a contract, a clothier may get a contract, and he has to deliver it on the different reserves. Now, I contend that the effect of its being required to deliver it on the different reserves, still throws the contract into the hands of other large dealers who have monopolised it for years,

Mr. MITCHELL.

and it places the manufacturer and the small dealers at the mercy of those middle men. I can see no great difficulty in having three or four leading stations along the line at which goods might be delivered. Of course, if the Department refused to avail themselves of that suggestion, I shall still feel that I have done my duty.

Mr. WATSON. I, as well as my hon. friend, have brought this matter to the attention of the Government on previous occasions. My attention was first called to it by some small traders in the city of Ottawa. They claimed to be able to furnish goods much cheaper to the Government than is done to-day, if they could deliver them at some important station along the line of the Canadian Pacific Railway. I have been told that certain traders could carry these goods as cheap, if not cheaper, than they are carried to-day, and there would be a great deal more competition for the trade if the merchants had simply to deliver their goods to any station. But a person taking a contract for goods to be delivered at a certain reserve, suppose the contract amounts to a couple of thousand dollars, it does not pay him to go to the far west and secure freighters to carry the goods to the reserve. I think the system shuts out all the smaller dealers, and the goods furnished to the Indians to-day are nearly all furnished by large corporations who, practically speaking, have a monopoly of this business. While I am on my feet I would like to ask the Minister if there has been any application on the part of Indians or half-breeds who withdrew from the treaty to go back to the treaty again?

Sir JOHN A. MACDONALD. I believe there has been.

Mr. WATSON. In what district?

Sir JOHN A. MACDONALD. I could not tell. I know there are half-breeds who are considered as Indians. They lived with their tribes for years, and when they heard there was a chance of getting scrip, they immediately declared they were not Indians and became half-breeds. They got the scrip, and now they are going back to the Indians again.

Mr. WATSON. I am informed that even the Indian agents have advised these Indians that unless they went out of the treaty before the 1st May, 1886, and took their scrip, they would be shut off from any chance of ever getting scrip when they did go out of the treaty.

Sir JOHN A. MACDONALD. They were either Indians or they were not.

Mr. WATSON. They were led to believe that the treaty would be cancelled in a short time, and unless they went out of the treaty at that particular date they would not be entitled to scrip.

Sir JOHN A. MACDONALD. A treaty cannot be cancelled.

Mr. WATSON. I have been informed that an Indian agent or an instructor of Indians around Lake Manitoba, informed them that they would not receive the scrip unless they withdrew at that particular time. I would also mention that this was done for a special purpose. I am informed that quite a number of those Indians are now asking to be reinstated on the reserve and to receive the treaty. I also desire to inform the Minister that there is no protection to the Indians on the shores of Lake Manitoba from receiving liquor. I am informed that large quantities of liquor are taken up there every winter and traded off to the Indians for fish. I know for a fact that during the Local elections some 60 or 70 of these gentlemen who had gone out of the treaty, received a bounty and were placed on the voters' lists for the Local elections, and there was a most disgraceful scene took place on the reservations on polling day.

Sir JOHN A. MACDONALD. I hope the hon. gentleman did not countenance that.

Mr. WATSON. I did not countenance it. During the local elections I was not there; but I am informed that large quantities of whiskey went there. I think there ought to be one or two mounted police placed in that district in order to protect those Indians from liquor being distributed amongst them.

Mr. McMULLEN. I would like to ask if the hon. gentleman could give us the names of the party who supplied canned beef to the Indians last year?

Sir JOHN A. MACDONALD. No canned beef has ever been purchased by the Department for the Indians. After the outbreak, some canned beef was taken over from the Militia Department, and I suppose that is used up.

Mr. McMULLEN. My reason for asking the question is this: when I was in the North-West last year, I stopped at one of the stations where there were a few Indians. I noticed that they had canned beef, and that it came from Chicago. I want to know whether it was supplied by the Department or whether they had supplied it themselves?

Sir JOHN A. MACDONALD. Most likely the Indians bought it themselves.

Sir RICHARD CARTWRIGHT. With respect to the item of \$33,122 for farm instructors, what is really being done in the way of improving agriculture among the Indians by the farm instructors?

Sir JOHN A. MACDONALD. There are farm instructors on all the important reserves. I think now we have got, on the whole, a very good body of men. At first when the system was established, there were some mistakes; men were appointed who did not turn out to be very efficient and they were rapidly removed. The present instructors have not been selected for high scientific farming, because that style of men would be useless, but they are rough and ready men, accustomed to work on a farm, and they have more than sufficient agricultural knowledge to be efficient instructors of the Indians. I believe they are very good men.

Sir RICHARD CARTWRIGHT. How much land is under cultivation?

Sir JOHN A. MACDONALD. I think that will be found in the report of the Department.

Mr. MILLS (Bothwell). Are any of those instructors working on the plan which the hon. gentleman first adopted, or are they all on reservations?

Sir JOHN A. MACDONALD. They are on reserves now. It was found when the first instructors were outside of the reserve, they thought more of their own farms than of instructing the Indians. The instructors are now working on the reserves with the Indians.

Mr. TROW. Are any of those self-supporting or likely to be so in a short time? I have not heard anything of the products and results of these farms.

Sir JOHN A. MACDONALD. The hon. gentleman will find all that fully stated in the report of the Indian Department, for everything is charged against the instructors, and credit given.

Mr. TROW. I find an amount in connection with annuity payments to Indians. I presume the Indians, particularly along the line of railway, and in fact throughout the North-West and Manitoba, with the exception of Peace River, are gathered on reserves, and there should be no difficulty in paying them their annuities without making provision for their having a general wake. Is the system followed of the Indians gathering together and having a jollification for several days, and thus consuming a large quantity of provisions?

Sir JOHN A. MACDONALD. The hon. gentleman is thinking of gatherings that are now almost of the past. Formerly, when the Indians were about to receive their provisions, they assembled in great meetings, first under the Hudson Bay Company and afterwards under the Government, and had their jollification and their sun dance. This has been by degrees altered, and at this moment on all the important reserves, if not on all the reserves, payments are made to the Indians there instead of allowing them to assemble at a central point.

Mr. WATSON. With respect to the item for Sioux, I wish to call the attention of the Minister to the fact that I mentioned last year that there is no sum placed in the estimates for schools. I again call attention to the fact that in Portage la Prairie some charitable women have established an Indian school, and I think they have memorialised the Government to give them some assistance to get teachers. They have been doing this by the contributions of citizens, and they have not only been teaching a day school but they have been keeping a kind of boarding school, taking Indian children and keeping them there all the time. I am glad to inform this House that the school has made wonderful progress since last year, and it is worthy of some encouragement at the hands of the Minister. There has been a lady teacher kept in that school for the last eighteen months, and the children have been given meals and encouraged to dress well and keep themselves clean, and the effect of the children going to school is being shown among the older members of the tribe. I say this is a matter well worthy the consideration of the Government, because these Indians I speak of never receive a dollar from the Dominion; they are self-sustaining in a sense, but they do not care to spend any money on educating their children. It is a matter well worthy of the consideration of the Government to assist those ladies who have been in the past endeavoring to educate the Indian children.

Sir JOHN A. MACDONALD. There is an increase in the vote this year of \$370. That is for the purpose of supplying a school among the Sioux. These are American Indians, who were driven to this country in consequence of the massacre of 1860. They are not treaty Indians, and they do not obtain supplies from the Government in any way, yet they are self-supporting. It is rather a caution to the Government that these Indians who have not received supplies, but have been treated as the Sioux have been treated, should be self-sustained.

Mr. WATSON. Is that amount to be expended?

Sir CHARLES TUPPER. It is to provide a school building at Buffalo's Band.

Mr. WATSON. That is not the band at all. I hope the Minister will make a note of this point, and will see that this school, which is worthy of the consideration of the Government, will receive some assistance.

Sir RICHARD CARTWRIGHT. Perhaps the hon. gentleman will give some explanation in regard to the item \$125,953 for general expenses.

Sir CHARLES TUPPER. It arises from increases of salary, \$19,997; for medical attendance, \$3,400; printing and stationery, \$1,017, and other amounts making altogether an increase of \$33,539.

Sir RICHARD CARTWRIGHT. How is this increase of \$19,000 required?

Sir JOHN A. MACDONALD. I will read the memorandum furnished by the Department. The increase in this item provides for the salaries of the officers in the Territories who have entered the service since the estimates for the current year were prepared, and for whom conse-

quently no estimates had before been made. The only exception to this is the item of \$2,500 providing for new clerks in the Regina office, as those now employed there in training are sent to other places. A list of the names of those clerks and their salaries is submitted, together with a list of the employés in Manitoba and the Territories, and the salaries having increased since the 1st of July last, provision must be made for them.

Sir RICHARD CARTWRIGHT. That is simply saying that the Department wants \$20,000 more for salaries, but how should that come about? The number of Indians is about the same, the work in connection with distributing annuities and such matters is less than heretofore, owing to the completion of the Canadian Pacific Railway, and, as my hon. friend from Marquette (Mr. Watson) remarks, living is cheaper than it used to be, so that I fail to see that there is any reason at all for the increase of nearly fifty per cent. on the salaries paid. An increase of the salaries from \$48,000 to well nigh \$70,000, there being no apparent additional work thrown on these officers, certainly does seem to require more explanation than that.

Sir CHARLES TUPPER. The explanation is, I am instructed, that it is found that a considerable number of additional agents were required. Where an agent was employed for a certain district, it was found necessary to have two or three to discharge all the duties. There was not sufficient assistance, so this amount was found to be necessary after the estimates previously prepared.

Mr. O'BRIEN. I understand that, in 1885, at the time of the outbreak, one of the great difficulties in dealing with the bands was just this: that there were not a sufficient number of persons in the position of officers to look after them. For instance, at Qu'Appelle there was only one man employed there—a very efficient man, it is true—but he had charge of fifteen reserves, and it was physically impossible for him to attend to all the duties of his position. I had personal experience of the work he had to do, and when any real trouble arose, so that when he had to move from one place to another, it was impossible for him to discharge the duties imposed on him. I understood at the time that a change was about to be made, by which a much greater number of officials should be employed, so that on every important reserve there should be some one residing there all the time, and if this is the cause of the increased number of officials, I think it is a wise and prudent step on the part of the Department. The expense, no doubt, is great, but I am satisfied that something of that kind is essential. I think the number of persons in charge of these reserves was not at all sufficient to meet the necessities of the case. Of course, when everything was quiet, and there was no trouble, it might be all right, but the moment any dissatisfaction or discontent arose it was physically impossible for the agent—at that particular place, at any rate—to discharge the duties which fell upon him.

Mr. PATERSON (Brant). I wish to ask a question with reference to one other subject, and then I shall be done as far as this item is concerned. I wish to ask the First Minister if he could tell how much it cost to bring down the chiefs who were brought down last summer to Ontario and the other Provinces? In asking that question I desire to say, in anticipation of the answer, that I consider, that even if the amount is somewhat large, it seems to me it was a happy thought on the part of the First Minister to bring them down. I do not know whether I voice the sentiments of all hon. gentlemen on this side, but I unhesitatingly say that is my own opinion, and I am pleased to say that in that matter, at any rate, I think the Government have acted with a good deal of forethought. We give the Indians schools and all that, but it seems to me there was in that visit an education given through the eye to these chiefs that could not be given in any other way, and when we remember—

Sir JOHN A. MACDONALD.

Sir JOHN A. MACDONALD. You mean Crowfoot?

Mr. PATERSON (Brant). Yes, Crowfoot and the other Blackfeet, the Crees and the Bloods—the prominent men of those tribes. We know the influence they have among their own people, and I feel sure that this money was money well expended. I think four or five of them had an opportunity of being present when we unveiled the Brant Monument at Brantford, and I think it will not require a great deal of thought on the part of any hon. gentleman present to imagine what effect an event like that would have on these Indians of the North West, who came down to a Province like Ontario; and in the heart of one of the cities of Ontario, found a monument, which is not exceeded for its beauty anywhere, erected to one of their race. I think the effect must be good, and, therefore, I ask the question with regard to the expenditure in no captious spirit. I would like also to know if the Department have heard from their officers whether the reports that these men took back to their tribes had a beneficial effect, as I feel almost sure they would have.

Sir CHARLES TUPPER. I may say, in reply to the hon. member for South Oxford (Sir Richard Cartwright), that it will be observed that on the whole this estimate for Manitoba and the North-West shows a net decrease of \$7,589.

Sir JOHN A. MACDONALD. I may say, in answer to my hon. friend from Brant (Mr. Paterson), that the reports as to the effect of the visit of these chiefs are, as he may well anticipate, very pleasant. It is pleasant to know that Crowfoot, who is not only a great chief but a great man, a man of great ability and one who, under other circumstances, might perhaps be concerned in the government of a greater people than he is now—is, I believe, thoroughly convinced of the power of the whites; he is thoroughly convinced of the necessity of his being friendly with the whites and with the Government. I believe, too, that he is very grateful for the kindness which has been shown to him. The whole expense I am told—though it is merely an approximation, for I have not the accounts before me—of bringing down these Indians and letting them see Canada is about \$2,000.

Mr. MILLS (Bothwell). Can the hon. gentleman say whether anywhere in the North-West the farm instructors are utilised as Indian agents?

Sir JOHN A. MACDONALD. No, the instructors do not act as agents.

Mr. MILLS (Bothwell). Because I think where you have Indian instructors there is no reason why they should not sometimes act as agents on the reserves.

Sir JOHN A. MACDONALD. I think that would be rather starving the service. The agent has work to do and the instructor, if he does his duty, should be employed *de die in diem* in his own work. We can afford to pay for both men.

Sir RICHARD CARTWRIGHT. How many reserves are there?

Sir JOHN A. MACDONALD. Between eighty and ninety.

Sir RICHARD CARTWRIGHT. Because that bears materially on the point raised by the hon. member (Mr. O'Brien) who spoke before him and who supplied an argument which the Government themselves did not supply. It may be a very good argument, but if eighty or ninety are the total number of reserves, that would not require a great number of additional officers to look after them, I should judge.

North-West Mounted Police.....\$763,426

Sir RICHARD CARTWRIGHT. As this force has now, I suppose, become a permanent regular force, I want to enquire whether the Minister has under his consideration any project for retaining the men for a somewhat longer period than was at first contemplated, or whether any allowances in the way of gratuity or pensions are likely to be made for those men who may remain, say 20 or 25 years.

Sir JOHN A. MACDONALD. I am very glad the hon. gentleman has asked me that question. It is a question of a very great importance, and if I had all the information which was necessary I would most likely have come to Parliament this Session with a measure for a regulated scale of payment or pension to the Mounted Police force. It is a most invaluable force; I do not think there is a finer force in the world than the 1,000 men who form the Mounted Police. They are pretty well paid; but they have exceedingly hard work to perform. They are now patrolling night and day from the Red River to the foot of the Rocky Mountains, and there is now a requisition from British Columbia to send some men there, and I have a body of men ready to march night or day in case of disturbance among the Indians, of which the Local Government has some apprehension. The work is so hard that very many of the men are invalidated, young, healthy fellows going up apparently fit for their work break down; they have not the fibre to stand the work; and we find that after two or three years' service they are unwilling to remain. The consequence is that we have too many recruits, and it is of very great consequence that we should keep the men who have been well trained. A man who has been trained and has been in the force for five years is worth five men who have been there one year. The continual complaint of the commandant of the force is that he cannot keep his men. It is of great importance that these men should be thoroughly trained, not only in a military sense, but as a constabulary. I propose, if I live, to submit to Parliament, next Session, a scheme for inducing the men to remain in the service. There are a great many educated men, men of university education, who one would say are fitted for superior stations in life, and we are promoting the best of them as they rise to be non-commissioned officers by giving them commissions in the force. But we find it difficult to get men. This year about 300 men will leave the force of 1,000, a most serious depletion, because most of these are men who have served from three to five years, and who are perfect soldiers and perfectly understand their duties.

Sir RICHARD CARTWRIGHT. How many horses does the force maintain?

Sir JOHN A. MACDONALD. There are 850 horses for 1,000 men.

Sir RICHARD CARTWRIGHT. On a good many occasions in former years I called the attention of the First Minister to the expediency of having a reasonable number of light pieces of artillery provided for the use of this force. I would like to know how the force is provided for in that respect, and what arrangements are made in the way of training the men for artillery practice, if any.

Sir JOHN A. MACDONALD. The artillery force consists of four 9-pounders, six 7-pounders, and two mortars.

Sir RICHARD CARTWRIGHT. You have no gatling guns?

Sir JOHN A. MACDONALD. No.

Sir RICHARD CARTWRIGHT. Do you employ Indian scouts at all?

Sir JOHN A. MACDONALD. There are some Indians and some half-breeds. Ten Blood Indians were employed this year near the Rocky Mountains.

Sir RICHARD CARTWRIGHT. What is the number of men?

Sir JOHN A. MACDONALD. There are 45 men in the force, including medical men. The officers consist of a commissioner and an assistant commissioner, eleven superintendents, 32 inspectors, one senior surgeon, six assistant surgeons and two veterinary surgeons.

Mr. WATSON. I notice a charge of 15½ tons of coal at \$16 a ton, purchased at Medicine Hat. These figures are very exorbitant for coal in that region.

Sir JOHN A. MACDONALD. The hon. gentleman may depend upon it that purchases are made as cheaply as possible. The supply may be wanted in a hurry, and it may be hard coal. At any rate, the supplies for the Mounted Police are all got by tender, and the Government accept the best article they can get at the lowest price.

Mr. WATSON. It is a mistake to furnish hard coal at \$16 a ton when soft coal can be had so much cheaper. Soft coal is sold in Winnipeg at \$7 a ton, and what is good enough for the city of Winnipeg ought to be good enough for the Mounted Police.

Sir JOHN A. MACDONALD. Surely the Government may be trusted for buying coal for their own corps.

Mr. WATSON. They are trusted with paying \$16 a ton for coal to supply the police barracks in a coal region.

Unforeseen expenses, expenditure thereof to be under Order in Council, and a detailed statement to be laid before Parliament within the first fifteen days of the next session. \$25,000

Mr. MILLS. I remind the hon. gentleman it is most desirable, with a view of bringing the matter before the Committee, that we should have the judgments given by the judges in the various contested elections in the various Provinces, reported to Parliament, as well as the ordinary report or the conclusion that is made for the Speaker. That is done in England. They are published in one volume, and are easily accessible to the members of the House and to the country. Under the present system, the judgments in the different Provinces are published in the law reports of those Provinces, and as we are administering all over the Dominion the same election law, it is desirable to see what opinion the courts express in the interpretation of the law in all the Provinces. In order that we may have that, it is necessary this House should take some steps with a view to the publication of those judgments. They might be published in the same form, the octavo form, as the Statutes; that would be only one volume for five years. The expense would not be very great. There is just one matter I would suggest to the First Minister and the Minister of Justice, and that is how far the evidence should be included along with the judgment. Of course, if the judge is not careful and does not fully state the reason for his judgment, it may be necessary to have the evidence; but if an opinion be expressed by the Minister of Justice on that subject, perhaps the judgments would be made sufficiently full to dispense with publication of the evidence. It would be very convenient if this were done, and I avail myself of this opportunity to bring it before the Committee.

Sir JOHN A. MACDONALD. The hon. gentleman spoke to me about this the other day, and showed me the report of an election case in England. It is important on every ground that all the decisions connected with controverted elections should be collected, and I have no doubt the Minister of Justice will agree with me it is exceedingly expedient that all the reports of the various election trials should be grouped together, published from time to time in a volume and laid before Parliament. The Minister of Justice will consider the point raised by the hon. member, as to

whether, not only the judgment, but the evidence should be published.

Commutation in lieu of remission of duties on articles imported for the use of the army and navy.....\$2,000

Sir RICHARD CARTWRIGHT. I observe that in the the Auditor General's report of 1882, quarterly allowances of \$15.62 are made. What is the principle on which that is arranged?

Mr. BOWELL. They are the different officers belonging to the different corps of the Imperial army that are stationed in the different stations of the Dominion from Victoria to Halifax. The commutation is made upon the presumed duty that they pay upon the articles imported for the use of the mess. It is the sum arrived at some years ago, and it covers as the hon. gentleman is aware, the wines and such articles as are required in the daily mess. Formerly it cost \$4,000 and \$5,000. Gradually it has been diminished, until now, I think, it is \$2,000.

Expenses of Government in North-West Territories..... \$96,707 29

Sir RICHARD CARTWRIGHT. I do not see any memorandum as to this.

Mr. WHITE (Cardwell). There is an increase of \$1,500 for the cost of elections, an increase of \$200 for stationery, telegraphing, postage, &c, an increase of \$8,000 for roads and bridges, an increase of \$12,507.29 for schools, an increase of \$300 for legal advice, which was formerly given to Judge Richardson. The sum now proposed is \$500 instead of \$300 as formerly. There is a decrease of \$500 in the rental allowance to Lt.-Col. Hugh Richardson in lieu of the free residence he had formerly at Battleford. There is also a decrease in regard to the vaults which were built last year, and the amount for which is not required to be repeated. There is a decrease in the matter of the safes and indexes, and so on, in the registry office at Edmonton. There is an increase for the clerical assistance in connection with the North West Council amounting to \$1,600. There is an increase of \$500 for law books and subscriptions to newspapers for the North-West Council, and there is an increase of \$500 for contingencies. I could give the hon. gentleman further details in regard to this as furnished by the Lieutenant Governor.

Sir RICHARD CARTWRIGHT. This expenditure which is thrown upon us now amounts to about \$100,000. Has this Government in the North-West, as now existing, any revenue of its own at all, or is it expected that it will have any revenue of its own, or are we, as the wants of the country increase, to go on increasing this vote *ad infinitum*, because it may come to be a very formidable item in a few years?

Mr. WHITE (Cardwell). There is a revenue, and a growing revenue from licenses and permits, and, as hereafter the Territories become Provinces, they will have the same sources of revenue as they have in Manitoba.

Sir RICHARD CARTWRIGHT. Does the hon. gentleman assign to them—it might fairly, I think, be assigned to them—any portion of the revenue derived from the lands which the Government own, from timber limits and so on?

Mr. WHITE (Cardwell). There is nothing of that kind.

Mr. MILLS (Bothwell). I would like to ask whether any steps have been taken—it always seemed to me that such steps should be taken—to keep any account of the expenditures made that a Province would make on its own behalf, so that, when the time comes to admit these Territories as Provinces into the Union, they would be in a position to state the amount to be allowed to them for their debt and their obligations. I should like to know whether there is any account kept of the moneys expended on roads and

Sir JOHN A. MACDONALD.

bridges, on court houses, on works of a character such as those that would be built on behalf of a Province, or on local railways.

Mr. WHITE (Cardwell). There are full accounts kept. For instance, I can give every item with regard to education, the number of schools and everything of that kind. There is no difficulty about that. The accounts are kept as they are in any Province, and the statement could be made up at any time.

Expenses of Government in the District of Keewatin..\$1,500

Mr. MILLS (Bothwell). That is a bad spelling.

Sir JOHN A. MACDONALD. Yes; it should be Keywaydin. That is a very pretty name, but Keewatin is as ugly as possible. That had better be amended.

Extra clerks, for preparation of returns ordered by Parliament..... \$10,000

Sir RICHARD CARTWRIGHT. Is there any real necessity for this extra vote?

Sir JOHN A. MACDONALD. The vote was taken to meet the possible expenditure of last Session and of the Session before, when we had rather a long Session. This vote is merely taken, but I do not suppose it can be all used up.

Sir RICHARD CARTWRIGHT. I should think it could not. This vote crept in under exceptional circumstances, and I do not think it is much wanted, and it is rather a temptation to put the money in the way to be spent, if you take the vote. Last year, 1886—

Sir CHARLES TUPPER. I will reduce this to \$5,000.

Sir RICHARD CARTWRIGHT. I think you may very well. The amount spent last year was only \$1,376.

Sir JOHN A. MACDONALD. I think \$5,000 will be ample.

Sir RICHARD CARTWRIGHT. Yes, I should think so.

Mr. WATSON. I desire to call attention to an item which has been dropped, for exploring the Hudson's Bay. I am informed that the *Northern Light* is doing nothing at present, and that the captain of that vessel is not engaged, and that for an expenditure of about \$3,000 one of the geological engineers might make a trip, and might make some valuable explorations, and ascertain the state in which he finds the straits and the bay, and I think it would be well for the Government to put a vote in the Supplementary Estimates and make use of this steamer which is now idle. For an amount of \$6,000 an engineer could make a trip of three months and gain valuable information.

Commercial agencies\$10,000

Sir RICHARD CARTWRIGHT. What do the hon. gentlemen propose to do with this money?

Sir CHARLES TUPPER. It is very desirable to have a certain amount for matters of that kind. A gentleman was sent to the West Indies and has just returned, and there is an agent in Australia making a report upon the prospects of establishing increased trade with Australia. There was an agent also sent to the Sandwich Islands.

Sir RICHARD CARTWRIGHT. I see that Colonel Walker Powell made a voyage to the Sandwich Islands. He is a very good officer. He is the Adjutant General I suppose?

Sir JOHN A. MACDONALD. Yes.

Sir RICHARD CARTWRIGHT. I should think he was a queer person to send to the Sandwich Islands to examine into the merits of commercial agencies.

Sir JOHN A. MACDONALD. Colonel Powell, besides being a very good Liberal, has been a merchant, and is a commercial man, and the Government took advantage of his going there to appoint him for this purpose.

Sir RICHARD CARTWRIGHT. I have a good opinion of Colonel Powell as chief officer of the Militia Department, but I should say it was rather out of the way to assign him that particular duty.

Sir JOHN A. MACDONALD. He wanted to go there, and we employed him. He did good service.

Sir RICHARD CARTWRIGHT. If you put it as a reward to a deserving and meritorious officer, that is one thing; if you put it on the head of commercial agencies, that is another. I find in the Public Accounts: "A. Spencer Jones, writing and publishing in newspapers of Jamaica, Ontario, and London, 100 columns of original letters and articles, setting forth the advantages of closer and more extended relations between Canada and Jamaica, at \$4.50 per column—\$450." I suppose an original article ought to be worth \$4.50 if it is really original. Then I see writing 60 letters to members of Jamaica Legislature and other prominent persons on the same subject, at \$1 per letter. Two trips to Ottawa to meet Sir John A. Macdonald, and Hon. Mr. Solomon, of Jamaica, \$40." This may be of considerable service, but I do not think that either of these items are likely to produce a very great spread of commercial relations.

Sir JOHN A. MACDONALD. Mr. Jones is a Jamaican, and a very intelligent person. He has taken a very great interest in the matter, and has written a good many letters, both in Canada and Jamaica. His letters excited so much interest in Jamaica that two members of the Jamaica Government came to Canada in consequence of his letters, in order to see whether there could be any arrangement made with the island in the way of commercial affairs. So really he did some good service.

Mr. MILLS. Was he in favor of political union?

Sir JOHN A. MACDONALD. I do not know that he wrote political union, but I know others did.

Mr. MILLS. The hon. gentleman?

Sir JOHN A. MACDONALD. I did not.

Cost of organising Printing Bureau\$2,500

Sir CHARLES TUPPER. This is under the Act of last Session, and is for general organisation.

Sir RICHARD CARTWRIGHT. What is it for? How do you mean to use it?

Sir CHARLES TUPPER. That is in the Department of the Secretary of State. We will give that information on concurrence.

Sir RICHARD CARTWRIGHT. When matters of this kind are allowed to pass, I think the hon. gentleman had better bring the information down the next day.

Sir CHARLES TUPPER. That shall be furnished to-morrow.

Cost of plant required for Government Printing
Office\$107,500

Sir RICHARD CARTWRIGHT. It strikes me this is going to be a very expensive hobby.

Sir CHARLES TUPPER. This is getting under way. You have considerable outlay to start it, after that the saving will come in.

Intercolonial Railway \$2,600,000

Sir RICHARD CARTWRIGHT. Why is this large increase required?

Sir CHARLES TUPPER. The amount of the estimate last year was \$2,400,000, this year \$2,600,000. The details of that sum as are follows:—locomotive material, \$893,000; cars, repairs and running, \$624,300; maintenance of way, \$645,000; stations, &c., \$325,000; general charges, \$165,300.

Sir RICHARD CARTWRIGHT. This is an increase of 10 per cent. on the whole. Is that caused by supposed increased business, or what?

Sir CHARLES TUPPER. It is caused by increased business.

Sir RICHARD CARTWRIGHT. What is the deficit expected for the year?

Sir CHARLES TUPPER. I hope there will be no deficit for this year. There will be a considerable deficit owing to the extreme difficulty of working the road.

Eastern Extension Railway\$90,000

Sir RICHARD CARTWRIGHT. In all these sums there are considerable increases.

Sir CHARLES TUPPER. There is an increase of \$15,000 on this, it is for renewals.

Canals\$471,000

Sir RICHARD CARTWRIGHT. There are considerable increases here.

Sir CHARLES TUPPER. The amount varies from year to year.

Sir RICHARD CARTWRIGHT. The deficiencies appear to be getting always larger. What were the receipts for the current year?

Sir CHARLES TUPPER. We hope they will be fully as good this year as last.

Sir RICHARD CARTWRIGHT. That will be a deficit of how much?

Sir CHARLES TUPPER. I have not the information at present, but I will furnish it to the hon. gentleman.

Salaries and contingencies of Canal Officers \$37,236

Mr. McMULLEN. I notice in the report of the Auditor General that there are a large number of people set down here as salaried officers, who receive large sums of money for their services. Here is one man named Morley who is paid for 365 days work at \$3 a day. Here is another man, J. W. Burke, employed for 365 days at \$3.50 per day—every day in the year—for which he was paid \$1,277.50. Here is R.C. Douglas who is paid for 365 days at \$5 a day. I think we should have some explanation why these men are paid these large sums.

Sir CHARLES TUPPER. Will the hon. gentleman say what information he wants?

Mr. McMULLEN. I want to know what they are doing and how they are employed every day at these large sums, for Sundays as well as other days. I simply want to know if they are working every day and how they are paid.

Sir CHARLES TUPPER. I can only say with reference to those officers that they are professional men and their salaries are not at all inordinate. I take the case of Mr. Douglas. Anybody who has read his reports knows that he is probably second only to Mr. Page in the Department. His salary is here stated to be \$5 a day, and suppose it does include Sundays. It amounts to \$1,825 for the year, for a man of the highest professional attainment, who is charged with very important work in connection with an important branch of the service. I say that the salary he is paid is one

as to which nothing can be found fault with, considering the work he does, and I know personally what that work is from having been Minister of that Department. I see gentlemen paid here at the rate of \$2.50 per day, able accountants, painstaking and laborious officers, and I do not think there is anything extravagant in those figures, as these gentlemen are either professional accountants or professional men in other capacities.

Mr. MILLS (Bothwell). Are they engaged on Sundays, or do they work on Sundays?

Sir JOHN A. MACDONALD. It makes a portion of the year's salary.

Mr. MILLS (Bothwell). But the hon. gentleman might take a less offensive way of making the charge.

Mr. WHITE (Cardwell). They have to eat on Sundays.

Sir JOHN A. MACDONALD. And support their families, and put something in the poor box.

Mr. McMULLEN. I want to know simply —

Sir CHARLES TUPPER. If the hon. gentleman will tell me what he wants to know, I will give the information. I think I have satisfied him that the salaries, instead of being excessive, are extremely low. I say that if ever I have any fault to find with my successor in that Department, it is as to his extra economy of the public money—his unwillingness to make the smallest addition to the salary of any officer in the Department. I can only say that I have exhausted all my powers of persuasion to do what I thought was only justice, to get him to make a slight increase in the salaries of some of those officers, whom I left in the Department and in whose success I naturally felt interested.

Mr. McMULLEN. I simply want to know how it is these men are engaged—whether by the month or the day, what they are doing, and how they are engaged?

Sir CHARLES TUPPER. The hon. gentleman has the information under his hand. It tells him they are employed by the day.

Mr. McMULLEN. No, it does not.

Sir CHARLES TUPPER. The report states 365 days at so much per day.

Mr. McMULLEN. What are they doing? Here is F. J. Lynch, who is getting \$200 a month. What is he doing?

Sir CHARLES TUPPER. He is an engineer of high attainments, a man of great ability, employed by the Railway Department and engaged in professional work all the time.

Mr. McMULLEN. Is he permanently employed at \$200 a month?

Sir CHARLES TUPPER. Yes, and a very reasonable salary it is.

Mr. McMULLEN. He must be a very clever man to get that amount continuously, for I know that engineers do not usually get that sum. I know that some men of great ability and extended experience might possibly get that salary—

Mr. BAKER. Yes, \$400 a month.

Mr. McMULLEN. In some cases, but I know engineers who do not.

Sir JOHN A. MACDONALD. You do not know Mr. Lynch.

Sir CHARLES TUPPER. I can assure the hon. gentleman, and I speak from personal knowledge, that there is not a professional man engaged in the Railway Department, from the highest to the lowest, who is not receiving a very much smaller salary than gentlemen of the same attainments and abilities are receiving from private companies.

Sir CHARLES TUPPER.

Mr. McMULLEN. Then, undoubtedly, salaries must have increased of recent years, because I know that on a railway with which I was connected, we paid an eminent man, who is now chief engineer of the city of Toronto, Mr. Sproat, \$1,800 a year, or \$150 a month.

Mr. BAKER. He should have had more professional pride than to take it.

Mr. SHANLY. Might I ask the hon. gentleman what railway that was?

Sir JOHN A. MACDONALD. Cheap and nasty.

Mr. McMULLEN. The Georgian Bay and Wellington.

Mr. SHANLY. What length of line?

Mr. McMULLEN. The branch he was connected with was 30 miles long,

Mr. SHANLY. I think \$150 a month is not an extraordinary salary anywhere, but I think for a road 30 miles long it is enough. Mr. Lynch's duties are very different from building a road 30 miles long. He is a man of high attainments and very moderately paid at this salary.

Mr. McMULLEN. I am simply stating the fact, and the road to which I refer was not too small for the hon. gentleman to get a little salary out of the building of it.

Mr. SHANLY. What did the hon. gentleman say?

Mr. McMULLEN. You professed to belittle the undertaking because it was only 30 miles long.

Mr. SHANLY. I did not belittle the undertaking, but I say if you build a road 30 miles long, you do not require to engage an engineer of very high character, or at a very high salary. It is not at all necessary to do so. Mr. Sproat is not paid at that rate in the city of Toronto, because he has much larger duties than he would have upon a road 30 miles long.

Mr. McMULLEN. Perhaps this discussion may be a little away from the point, but I say that you require in some places on roads 10 miles long an engineer of the same capacity as you would for 100 miles in others. It all depends on the character of the work to be done.

Telegraph lines, British Columbia.....\$6,500

Mr. BAKER. Why is there any expenditure for this service now, since all the telegraph lines have been transferred to the Canadian Pacific Railway Company?

Sir HECTOR LANGEVIN. There is a portion that has not been transferred in the upper country from Caribou downwards, and there is also a small line at the mouth of the Fraser River.

Agent and contingencies, British Columbia.....\$4,000

Mr. BAKER. I would like to ask when this is likely to be discontinued.

Sir RICHARD CARTWRIGHT. Who is the agent at present?

Sir JOHN A. MACDONALD. Mr. Trutch has been the agent. His general service expires on the 1st of July, but I understand that the Department of Railways desires, for special reasons connected with the Canadian Pacific Railway construction on the Pacific coast, to have his services until the first of September next.

Mr. EDGAR. Is not Mr. Trutch one of the officials paid by the Canadian Government at a certain sum?

Sir CHARLES TUPPER. That is suspended during this term, so that he is in receipt of a comparatively small sum beyond what he would have received at any rate.

Excise..... \$339,485

Sir RICHARD CARTWRIGHT. Are there any special increases here ?

Mr. COSTIGAN. The increase of \$5,452 in the salaries of officers and inspectors is principally made up of statutory increases, and there is an increase of four officers altogether throughout the whole Dominion. The increase of \$2,600 for increased pay of officers at large distilleries and factories, is owing to the fact that the work in the distilleries, under the new system, will require the officers to be at work from seven in the morning until six or seven in the afternoon, instead of from nine or ten until four, as in the case of ordinary offices. The increase of \$3,000 in the preventive service, is represented by the reports of the commissioner as necessary, owing to the restrictions imposed throughout the country, partly on account of the enforcement of the Scott Act, which has produced a tendency to illicit distilling. The increase of \$3,000 to enable the Department to purchase wood-naphtha and similar articles for issue to bonded manufacturers, is really not an increase, because it is repaid by the manufacturers. The only reason we ask for the increase, is that we purchase the articles in Europe rather than in the United States, and, consequently, require to lay in a larger stock.

Committee rose and reported resolutions.

Sir JOHN A. MACDONALD. I would ask the hon. gentlemen opposite if they will take short notice to move that Monday be Government day ?

Sir RICHARD CARTWRIGHT. Very well.

Mr. MILLS (Bothwell.) Does the hon. gentleman propose on Monday to take up Mr. Jamieson's Bill, and put it on the orders of the day as suggested.

Sir JOHN A. MACDONALD. That is *en délibéré*. There are two measures, the first on Public Bills and Orders which, with the assistance of the hon. gentlemen opposite, I would like to move up and make Government Bills, if necessary. One is Mr. McCarthy's Bill to enable companies to borrow on debenture stock, and the second Bill is one of a similar nature in the hands of Mr. Hall, the hon. member for Sherbrooke. I am told they are really valuable in a commercial point of view. In answer, I should ask the House to allow them to be put on the Government papers.

Mr. MILLS (Bothwell.) My attention was called by one of the police magistrates of the county to the decision of Mr. Justice O'Connor, in which he denies the right of a magistrate of a county to take any notice of the violations of the Canada Temperance Act in the towns or villages that are without police magistrates, and insists, before the Act can be enforced, that it is necessary appointments should be made for those towns. This, in a great measure, renders the Act nugatory. My attention being called to the subject, I was asked to call the attention of the Government to it, that they might take such measures as might be necessary to bring the Act into operation.

Sir JOHN A. MACDONALD. No doubt the Minister of Justice will take the matter into his consideration. I never heard of it before. I move that the House do now adjourn.

Sir RICHARD CARTWRIGHT. What business tomorrow ?

Sir JOHN A. MACDONALD. Bills first and then Estimates. It is understood that we sit from one to six.

Motion agreed to, and House adjourned at 2 a.m. (Saturday).

HOUSE OF COMMONS.

SATURDAY, 18th June, 1887.

The SPEAKER took the Chair at one o'clock.

PRAYERS.

RULES RESPECTING PRIVATE BILLS.

Sir HECTOR LANGEVIN. The Special Committee appointed by the House, in accordance with the report of the Railway Committee, to assist Mr. Speaker in revising the rules respecting Private Bills, in so far as they relate to the incorporation of, and the amendments of Acts incorporating railway companies, have reported, and the report, with the rules and model bill, has been published. The Special Committee, as well as the Railway Committee, were unanimous, and the report is in accordance with the wishes of the Railway Committee. It is recommended that there be a model Bill composed of all the clauses to be found in every Bill, that passes the Railway Committee, and those will be the standing clauses of the Bill. It will save a great deal of trouble to the members of the committee, and will make uniform the legislation on railways. The petitioners will fill up blanks, giving the names of the proposed incorporators, the capital that will be required, the time and places where meetings of the shareholders will take place, the number of shares necessary to qualify a director, the amount of bonds to be issued per mile, which depends on the length and cost of the railway, the time to be given for beginning the railway, and the time within which it must be completed. Then, we have recommended these three rules, which I will read :

" All Private Bills for Acts of incorporation of, or in amendment of Acts incorporating railway companies, shall be drawn in accordance with the model Bill adopted by the House on June, 1887, copies of which can be obtained from the Clerk of the House; the provisions contained in any Bill which are not in accord with the model Bill, shall be inserted between brackets, and when revised by the proper officer shall be so printed "—

So that the officer of the Railway Committee will always have to examine Bills before they are laid before the committee, and certify that they are in accordance with the rules.—

" Bills which are not in accordance with this Rule shall be returned to the promoters to be re-cast before being revised and printed; and any sections of existing Acts which are proposed to be amended shall be re-printed in full with the amendments inserted in their proper places and between brackets; "—

We have found that some promoters of Bills come down with amendments to a long clause of the Railway Act, such as leaving out one word, so that one cannot tell what the provisions of the Act are unless he has it before him. Therefore, we provide that both the clause that is wanted and the clause that is proposed to be amended must be printed in full.—

" and any exceptional provisions that it may be proposed to insert in any Bill shall be printed in the notice of application for the same."

We find also that promoters of Bills, after having given general notice, sometimes ask for special powers, which are refused, and this causes disappointment to them and delays their undertaking; but we must look to the interest of the public before the interest of private individuals; and so we propose as the second rule :

" No Bill for the incorporation of a railway company, or for changing the route of any railway company already incorporated, shall be considered by the Railway Committee until there has been filed with the committee, at least one week before the consideration of the Bill, a map or plan, upon a scale of not less than half an inch to the mile, showing the location upon which it is intended to construct the proposed work, and showing, also, the lines of existing or authorised works of a similar character within, or in any way affecting the district, or any part thereof, which the proposed work is intended to serve; such map or plan to be signed by the engineer or other party making the same; "—

We find frequently that Bills are asked for lines which interfere with some other line, or which occupy the same ground, and so we propose to require promoters of a Bill to lay before us a plan showing the proposed location of their line, and the direction of the line must be settled before the Bill comes before the committee.—

“and an exhibit showing the total amount of capital proposed to be raised for the purposes of the undertaking, and the manner in which it is proposed to raise the same, whether by ordinary shares, bonds, debentures, or other securities, and the amount of each, respectively.”

By this means we expect to prevent bogus companies being incorporated—companies that do not intend to build the railway they are promoting, but who wish to have a charter which they may sell afterwards. This will be prevented if we require them to show us what are their means and what are the prospects of building the railway. In that way I think we shall be rendering a service both to the country and to the committee and this House. The last rule is this :

“Before any Private Bill is considered by the committee to which it may be referred, a report shall first be submitted to the committee by the examiner, stating that he has examined the same, and has noted, opposite each section, any variations from the provisions contained in the model Bill, and, to insure uniformity, the examiner shall revise and certify every Private Bill passed by the committees, and the reports thereon, before they are presented to the House.”

Therefore, I move, seconded by Mr. Edgar, that the report of the committee be adopted, and that the said resolutions be made Standing Orders of this House.

Sir RICHARD CARTWRIGHT. I would suggest that although that is a very desirable object and of great importance, it ought to be in the hands of hon. members before this passes. It has not been distributed as yet.

Sir HECTOR LANGEVIN. It is printed in the Votes and Proceedings.

Sir RICHARD CARTWRIGHT. We have not had time to read it.

Sir HECTOR LANGEVIN. Let it be left as a notice for Monday.

Sir RICHARD CARTWRIGHT. But there is another matter I wanted to call attention to. It has been suggested more than once in this House, and I believe it would be a great improvement in our practice, if, in the case of these railway charters, a substantial deposit, in proportion to the magnitude of the work, were required to be made before any party was permitted to obtain a charter from this House. The practice of obtaining bogus charters, to which the hon. gentleman alluded, has been of too frequent occurrence; and although the suggestions made by the hon. gentleman are useful and valuable, I doubt whether they would completely check that practice, unless before any party gets a charter from this House, substantial deposits are insisted upon and rules are laid down which will involve forfeiture if the work is not proceeded with. This is done, if I am not mistaken, more or less in other countries, and in this country it will be very valuable.

Mr. EDGAR. It is high time that something of this kind should be done, because, during this Session, the work that came before the Railway Committee was so heavy, that, unless it had been for the very assiduous and almost daily attendance by the members of that committee, assisted by their indefatigable chairman, we could not possibly have got through the work; and the great cause of our labor was that each charter was brought in with clauses drawn up at haphazard, and we had to try and bring uniformity out of that chaos. By proposing a model Bill, the clauses of which would apply to all, that portion of the work of the

Sir HECTOR LANGEVIN.

committee would be greatly facilitated. Another thing which occupied a great deal of time, was that there is no requirement that any plan whatsoever should be brought in by the promoters, to commit themselves to the location of a railway, and they would ask power to wander all over the Provinces with their railway charter. Their notices are of a most general character, and we would have to decide, on almost every Bill, as to where the termini of the road should be, and what part of the country it should run through. That would be entirely unnecessary if the promoters had made up their minds, in a business-like way, before they came to Parliament. It occurred to some of us, before the end of the committee, that this sort of thing was undesirable. I suppose we may, as long as the Dominion has control of nearly the whole of the railways under the Act of 1883, expect a great deal of railway legislation every Session, and it will be impossible to face it another Session until we have such rules. The rules, of course, are not nearly as stringent as they are in England, but it would not do for us, in this country, to be as strict as they are, in any particular.

Mr. McCARTHY. I would move the adjournment of the debate until Monday next and make it the First Order.

Mr. EDGAR. While it is compulsory that the Bill should be submitted in that form, it is not compulsory that the committee should pass it in that form.

Mr. McCARTHY. Certainly not, but if this is to be the model Bill, we should see that it is the best of the kind.

Motion agreed to, and debate adjourned.

GOVERNMENT BUSINESS.

Sir JOHN A. MACDONALD moved :

That, on Monday, Government measures and orders have precedence after Routine and Private Bills, and that Orders 31 and 32 be transferred to Government Orders.

I mentioned this last night, and I am only moving with the consent of hon. gentlemen opposite. If Monday is given to the Government, they will press their measures with all due zeal. I mentioned last night that the two first orders on Public Bills and Orders are of a very great commercial importance, the first (No. 31) is an Act to amend the Companies Act, as amended by the Standing Committee on Banking and Commerce. Its main object is to enable the companies to borrow on debentures of stock as well as on other debentures. The other is an Act to empower the employes of incorporated companies to establish pension funds societies. I hope my hon. friend, the leader of the Opposition, will second the motion.

Mr. LAURIER. The hon. gentleman has given me a title to which I am not entitled. The hon. gentleman is enough of a parliamentarian to know it is not safe always to trust to newspaper articles. Speaking for my friends, however, I may say there is no objection to these measures, and I suppose the Government have nothing new to introduce at this period.

Sir JOHN A. MACDONALD. We have exhausted our repertory except that we will ask some very modest votes in aid of railways.

Sir RICHARD CARTWRIGHT. What does “very modest” mean?

Sir JOHN A. MACDONALD. It means what it says. There is not millions in it.

Motion agreed to.

LAND SUBSIDIES TO RAILWAYS—N. W. T.

Mr. WHITE (Cardwell) moved that the House resolve itself into Committee to consider the following resolutions:—

(1.) That it is expedient to authorise the Governor in Council to grant to the "Alberta and Athabasca Railway Company," Dominion lands to an extent not exceeding six thousand four hundred acres for each mile of the company's railway from some point on the Bow River or the Canadian Pacific Railway, at or between Calgary and Crowfoot Creek, to a point on the Athabasca River, crossing the North Saskatchewan near to the town plot of Edmonton, a distance of 300 miles.

(2.) That it is expedient to authorise the Governor in Council to grant to the "Qu'Appelle, Long Lake and Saskatchewan Railway and Steamboat Company," Dominion lands to an extent not exceeding six thousand four hundred acres for each mile of the company's railway from the northern termination of the portion of that railway already completed to a point at or near where the 52nd degree of latitude crosses the South Saskatchewan, a distance of about 130 miles, and from thence to the elbow of the North Saskatchewan, a distance of about twenty-five miles, with a branch to Prince Albert, a distance of about eighty-five miles, and also a branch to Battleford, a distance of about eighty-five miles, making a total of about 325 miles.

(3.) That it is expedient to authorise the Governor in Council to grant to the "Medicine Hat Railway and Coal Company," Dominion lands to an extent not exceeding six thousand four hundred acres for each mile of the company's railway from Medicine Hat Station, on the line of the Canadian Pacific Railway, to the Medicine Hat Coal Mines, on the south bank of the Saskatchewan, a distance of about eight miles, to be selected out of such lands as are at the disposal of the Government in the proximity of the line of the company's railway.

(4.) That it is expedient to provide that the said grants shall be free grants, subject only to the payment by the grantees respectively, of the cost of the survey of the lands, and incidental expenses, at the rate of ten cents per acre in cash on the issue of the patents therefor.

He said: If the House is willing, I would like to go into committee on these resolutions now. I laid on the Table last night the papers connected with these proposed grants so that hon. gentlemen will have an opportunity of seeing the grounds on which they are to be made. There are only three; one is for the construction of a railway from a point near Calgary to Edmonton. Hon. gentlemen will admit it is of great importance to get a line between these points as soon as possible. And we are assured that the gentlemen who have this enterprise in hand, are actively engaged now in floating it, and that we are likely to have the construction without delay. The next is the Qu'Appelle, Long Lake and Saskatchewan Railway and Steamboat Company, who propose to continue their road from its present point to Saskatoon on the Saskatchewan or to some point near that, with branches to Prince Albert and Battleford. The third is for a short line which has been petitioned for from all parts of the North-West, from Medicine Hat, from Regina, from Moosejaw, from nearly all the points in the North-West. It is practically to assist in the development of important coal interests near Medicine Hat. These are the only three grants which are proposed at this time, and, with the consent of the House, I move that the House go into committee upon them.

Mr. EDGAR. I have gone hastily through the papers which were brought down yesterday by the hon. the Minister of the Interior to explain the reason for these grants, and I find that only in one case, that of the Alberta and Athabasca Railway Company, has the Order in Council been brought down. In the Medicine Hat case there are a lot of petitions but there is nothing on earth to show that an Order in Council has been passed, and, worse than that, among the Qu'Appelle papers which are brought down there appears to be the wrong file, because there is an Order in Council referring to the former grant, with the conditions of which they had not complied, and asking that they should be relieved slightly from the conditions, but the application brought down is not for a grant of 6,400 acres a mile, but for a grant part in money and part in land. At least, that is one of the petitions. The other is for an annual guarantee of $4\frac{1}{2}$ per cent. on, I think, \$16,000 a mile. These are not the papers or the Order in Council upon which this grant is proposed.

Mr. WHITE (Cardwell). The hon. gentleman is quite right in regard to the application for the Regina, Long Lake and Saskatchewan Railway Company, asking for a guarantee of bonds on the basis of the land grant proposed to be given; but the Government did not see its way open to adopt a new policy in regard to the North-West, which might result in serious consequences, and that was not adopted. The reason why an Order in Council was not brought down is that an Order in Council was not passed, and the final conclusion was only arrived at the day before yesterday in the hurry of work; but it seems to me that Parliament may grant the lands if it so chooses without a previous Order in Council. The provisions as to the conditions are the same as those which have been embodied in other Acts heretofore, and in the Bill which I will introduce we will take power to give the land in townships instead of in sections if the Government so desire, but the terms of the charter granted by Parliament limit the time for construction, and no grant can be made in the case of the Long Lake Railway until 50 miles are completed.

Mr. SPROULE. Is this Long Lake Railway to be of the ordinary gauge of 4 feet 8 $\frac{1}{2}$ inches?

Mr. WHITE (Cardwell). Yes.

Motion agreed to, and House resolved itself into Committee.

(In the Committee.)

On resolution 1,

Mr. EDGAR. As the hon. Minister proposes to make these grants in townships, how is he going to get rid of the school land reserve and the Hudson's Bay reserve? Is he going to do it in the same way as last year?

Mr. WHITE (Cardwell). Yes, the Bill proposes to get rid of these reserves and also of the trails for the settlers.

Mr. EDGAR. I see that the Act of last Session, which was brought in to get over that difficulty, required that such an exchange of lands had to be assented to by the Hudson's Bay Company. Does not that make the grant rather uncertain and practically useless?

Mr. WHITE (Cardwell). If the hon. gentleman will let the resolutions go through and discuss that point on the clause in the Bill I think it would be more convenient.

Sir RICHARD CARTWRIGHT. Has this Alberta and Athabasca Railway Company done any work at all up to the present time, or is it a new company?

Mr. WHITE (Cardwell). That company has done no work, except in regard to the ordinary exploration of the country.

Sir RICHARD CARTWRIGHT. We have had a great deal of trouble in other cases by giving these lands to companies which turned out to have no means whatever of going on with the work except what they derived from selling the charter and the land grant. Before we give 2,000,000 acres—for that is practically the amount—to this company, I think we should be careful, and I desire to ask the Government what security they have taken that this work will be *bond fide* proceeded with in the event of this grant being made to the company.

Mr. WHITE (Cardwell). They will get no lands at all until fifty miles are built, and I think they have to be constituted within twelve months. That is pretty good security that they will go on with their line.

Sir RICHARD CARTWRIGHT. It is, if the gentlemen stick to their bargain, but next year, if there should be any inconvenience in getting the money out of other pockets, the probability is that the time will be extended and ex-

tended again, if possible, and I really do think, having in view the transactions which are already well known to the House in connection with these lines of railway, some substantial deposit should be insisted upon to ensure that these men are really honestly intending to go on with the railway. I would not be disposed to insist on an unreasonable deposit, but there should be such a deposit as would enable the Government to inflict some penalty if these people practically lock up this land, and this route for a considerable term without doing anything in return.

On resolution 2,

Sir RICHARD CARTWRIGHT. What is the position of this Qu'Appelle, Long Lake and Saskatchewan Railway and Steamboat Company; is it also a railway which has done no work?

Mr. WHITE (Cardwell.) No, there are about twenty-five miles built.

Sir RICHARD CARTWRIGHT. Who are the parties concerned in this company?

Mr. WHITE (Cardwell.) Mr. Pugsley was the chief promoter of the railway. He is still in it, and Mr. Fuller, of Hamilton, is still in it.

Sir RICHARD CARTWRIGHT. Is this the company in which Mr. Maynard is interested?

Mr. WHITE (Cardwell.) I think so. I would not like to say.

Sir RICHARD CARTWRIGHT. I repeat the caution which I gave with respect to the other one, that, although it differs materially from the Alberta and Athabasca Railway Company, I really think that where millions of acres of the public domain are parted with, parties should be compelled to make some deposit, or do some work. Here the extent of twenty miles of railway, which the hon. gentleman states is completed, is, of course, a reasonable guarantee.

Mr. MILLS (Bothwell.) I think these appropriations, and the immense amount of legislation proposed during the past two Sessions, shows the propriety of not continuing the system of reincorporation. The hon. gentleman proposes here to make an appropriation to certain railway corporations. Those companies may never undertake the work, and this legislation may be to no purpose. If we had a Bill going through Parliament, proposing to grant this aid to any railway company that would undertake the construction of either of these lines, and if it provided, as I proposed to provide at one time, that when parties deposit their plans with the Minister of Railways, or the Minister of the Interior, and deposit a certain amount as a guarantee of good faith, they would be entitled to incorporation as a matter of course, and they would receive this grant. A great deal of time would be saved in Parliament, and a check would be given to this business of charter-selling. I do not think there is anything more discreditable than the system of a company obtaining charters here, and then going to New York, London, or elsewhere, with a view to selling them at a profit. Now, that is discreditable to this Legislature and to this country, because it is a thing that cannot be done without the connivance of Parliament. Wherever Parliament grants charters in this way, it is actually conniving at proceedings of this sort. Certainly if there are capitalists ready to undertake the construction of these lines of railway, and they pay something to these charter-holders for the privilege of doing so, they will be all the more ready to undertake the work if no such burden was imposed on them. It seems to me that it is the duty of the Government to submit to Parliament a well-considered plan of free incorporation. They can decide where these railroads can be built that are entitled to aid, and

Sir RICHARD CARTWRIGHT.

whether the road is built or not, should depend upon the profits that the party sees are likely to be derived. It would leave them to be undertaken the same as any other commercial enterprise. The hon. gentleman who has no doubt, given some attention to this question, knows what a revolution the adoption of this plan has worked in railway incorporation on the other side, and how completely the Legislatures have been relieved from all pressure from lobby men and others, and how the credit of the Legislatures has been preserved by this change in their public policy. Now, I say that we are getting very much into a condition of things such as prevailed in some of the American Legislatures before the change in their policy took place. We know that many parties are expecting to profit by obtaining charters of this kind. Men without capital, men without any resources, without any money to invest in railway enterprises, come here and obtain charters, and stand in the way of those who have money to invest, by the possession of those charters. I do not think there is any subject to which hon. gentlemen on the Treasury benches could turn their attention to more advantage to the people of this country, than this subject of free railway incorporation.

Mr. EDGAR. I think before the House is asked to make a grant of 6,400 acres per mile, they ought to know that the company expects to be able to construct the railway with that assistance. Surely that is a self-evident proposition. Well, from all I can see in these papers that have been brought down, the Qu'Appelle, Long Lake and Saskatchewan Railway Company do not even suggest that they can construct the railway with land grant alone. On the contrary, you cannot help inferring from the papers that they do not think themselves able to do it, because, in one section, they ask for \$3,000 in cash and 3,400 acres per mile, and they say that, if they get that, they can go on. Then a little further on they seem to have had another scheme in their mind, because they ask a guarantee from the Government of 3½ per cent. on a bond issue of \$15,000 per mile, for a period of 20 years; and they think then that they can build the railway if they get that. Now, in these papers, there is no application to the Government, that I can find, for the 6,400 acres per mile merely, much less is there any statement or allegation on the part of the railway company that if they do get that they can build the road. Well, why should we give a grant and tie up a lot of land in that country in favor of that company, unless they say that it affords them a reasonable basis of going on and constructing the railway? There is another course proposed. I see, in a letter from another railway company altogether from the South Saskatchewan Valley Company, asking, in a letter to the Minister of the 6th of June, 1887, that the land grant of 6,400 acres which has been promised to them, and not to the Long Lake Company, should be given to the Long Lake Company, because they are going on. Now, the Long Lake Company does not seem to have been a party at all to the application of this grant.

Mr. WHITE (Cardwell.) The question raised by the hon. member for Bothwell is, of course, a very large and important one, and no doubt deserves great consideration. But just at this moment, Parliament having chartered these railway companies, I do not think it would be worth while detaining the House to discuss that at this time. Then as to the general question raised by the hon. member for South Oxford (Sir Richard Cartwright) and the hon. member for West Ontario (Mr. Edgar), I wish to point out that there is no land locked up in any way whatever. All the lands these companies can get for constructing a railway are such as are available by the Government; but, in the meantime, all this land is open for homesteading and for sale, if the Government choose to sell it. It is quite in the hands of the Government, and is no more locked up than if these resolutions had not passed at all. The only thing is that

as soon as the company build 50 miles they will be entitled to a grant of such lands as are at that time unappropriated, in payment of the subsidy; if they do not build 50 miles they get nothing. Of course, it is for Parliament, from year to year, to determine whether they will extend the time, and whether the company have shown such good faith as to justify an extension. We have often done the very same thing. People come here from year to year to get their railway charters extended, and it is scarcely within my recollection that an extension has been refused them. The only case in which it was refused was in the case of the railway at which the hon. member for South Oxford (Sir Richard Cartwright) evidently hinted, and in that case it was extended only up to a certain date, and then to lapse unless certain things were done. Those things were not done and the charter lapsed.

Mr. CHARLTON. With respect to the proposed grant to the Medicine Hat Railway and Coal Company, I may say that this is a short line of railway, a mere spur to a coal mine, and to be built for the express purpose of making the coal mine more valuable.

Mr. WHITE (Cardwell). For the purpose of developing and giving the people cheaper coal.

Mr. CHARLTON. It might be questioned whether that is a work of public utility in a sense to justify the Government in making a large appropriation to a mining company for the purpose of making their property valuable.

Mr. WHITE (Cardwell). The property is only made valuable by its development as a means of increasing the supply of coal to settlers all through the North-West, and the competition created in that way will be the means of giving them cheaper coal. We granted, a year or two ago, a subsidy to another railway and coal company in the same way, and great advantage has resulted from it. This particular grant is petitioned for by people in all parts of the North-West. Perhaps no grant to a railway in the North-West seems to be so earnestly desired by the people of the country themselves as this is, and they believe it will develop the coal mines, increase the coal supply, and, therefore, cause lower prices.

Mr. CHARLTON. If that was the only source of coal supply, there would be more force in the hon. gentleman's arguments than they really possess. It strikes me, on the face of this proposition, that this is a company owning a coal mine eight miles from the Canadian Pacific Railway, and in order to develop the property and render it valuable, it is necessary to have a short line to the Canadian Pacific Railway, and the company feel that it will be more to their advantage to obtain it from the Dominion Government to render valuable this particular property, than to expend their own money for that purpose. This House should not grant 6,400 acres per mile to aid the building of a short line of railway the benefit of which will accrue to the coal mine owners. I do not apprehend that it will make very much difference to the North-West. There are a great many coal mines, and they are being constantly opened. It is not stated to be essential that this particular mine should be opened, but it would undoubtedly be a great benefit to the owners of the mine, if the Government would build this railway. I question very much the propriety of this grant. It is not a road for the general benefit, but it is a short line for the purpose of reaching a coal mine and rendering the property more valuable.

Mr. WOOD (Brockville). With respect to this particular mine, I may say that, when in the North-West last fall, I visited Medicine Hat, and I know the people there felt very much the want of some competition that would open communication with that coal mine. Furthermore, I was informed that petitions had been sent here asking the Government to make a grant either of land or cash

subsidy, in order that the company might construct a road from the Canadian Pacific Railway to their mine. I see no reason why a company of this kind, formed to develop a coal mine, ought not to receive a subsidy just as much as a railway company organised to run through any part of the country. I have no interest whatever in the Medicine Hat Coal Mining Company, but, having conversed with many of the residents of Medicine Hat, and the people above and below, I know as a matter of fact—and my testimony is of an independent nature—that the people there are very anxious that this particular subsidy should be given and this particular mine opened up.

Mr. DAVIN. I have no interest whatever in this company further than that of a property owner in Regina, but I may tell the hon. member for North Norfolk (Mr. Charlton) that he is under a misapprehension in supposing that this line can be looked upon only as a means of improving the property of the coal mining company. The fact is the problem of cheap coal in the North-West has not yet been solved, and, as a consequence, in a country where there is so little timber as in the whole of Assiniboia, there is a strong desire that there should be more competition in coal. The competition between the Anthracite Coal Company of the States and the Galt Company has not brought down the price of coal so as to secure coal at a reasonable price. What it has done is this: the Galt Coal Company lowered the price from the exorbitant figure of \$17 a ton, first to \$15, then to \$14, and last year to \$13.50 at Regina; it was higher at Medicine Hat of course. That is an enormous price to pay for fuel. The price paid for Galt coal is \$7.50; that is, I need not say, too high a price to pay for soft coal. So we have not yet got the competition that will bring down coal to a price that will enable the settler to have the full advantage of our splendid coal fields, and I think it is a very wise act for the Government to help this railway company.

Mr. SCARTH. Unlike some of my hon. friends, I have a very great interest in this grant; I have the interest of the citizens of Winnipeg in this matter. Petitions have come from citizens of Winnipeg, as well as from the people of many other places in Manitoba, asking that this grant should be given. Winnipeg wants cheap coal, and the more bituminous coal mines you open up, the cheaper the citizens of Winnipeg, the principal city of Manitoba, will get their coal. I hope, therefore, in the interest of Winnipeg, as well as in the interest of Manitoba, there will be no objection to this grant.

Mr. CHARLTON. Perhaps the hon. Minister will inform me as to who the owners are of this coal mine, and the projectors of the short line to the mine?

Mr. WHITE (Cardwell). The owners are gentlemen in Toronto and some parties in the North-West; I cannot remember their names.

Sir RICHARD CARTWRIGHT. Is it an incorporated company?

Mr. WHITE (Cardwell). Yes.

Mr. CHARLTON. Will the hon. gentleman inform us where the Act of incorporation is to be found. I have a little curiosity to know the names of the gentlemen.

Mr. WATSON. At a previous Session, when the House was passing a resolution for the Galt Company Railway, I called the attention of the House to the importance of the Government, in order to regulate the price of coal, giving other companies power to carry coal over that railway. The apparent danger I pointed out at that time has proved to have had an effect on the price of coal. The hon. member for West Assiniboia (Mr. Davin), has said that the competition they have to-day between Galt coal and American coal has not brought down the price as low as it should

be. The land grant given to a private company for the purpose of opening up and developing their own coal mine had not the desired effect of reducing the price of coal, because they control the railway carrying the coal from the mine, and, consequently, they control the price of coal. We find that coal is at a very high price in the North-West, as stated by the member for West Assiniboia (Mr. Davin). He spoke of the price of coal at Regina, and I see that the price paid by the Government at points farther west, at Medicine Hat, is, I think, \$16 per ton. I had hoped that the opening of railways and the Government giving a large grant to railways, would have enabled, not only the settlers to obtain their coal at cheaper rates, but also the Government. I find the Government are paying \$16 a ton still for coal at Medicine Hat.

Mr. WHITE (Cardwell). That is for hard coal.

Mr. WATSON. For anthracite coal. I say that this western coal, if it is worth opening up and developing by such large assistance as this House has granted, ought to be coal suitable for the police force of the North-West, and should be good enough for them to use. I would suggest to the Minister that, when this Bill is introduced, he should take power to give running powers to any company for the carrying of coal over this road. When the coal fields are opened up and developed in that country, it might be necessary to grant a subsidy to another coal company running parallel to this, for the purpose of giving us competition and cheaper coal. Coal should be much cheaper in the North-West than it is to-day, and the reason that it is high is not that we have not an abundance of coal, but on account of the rates charged by the railway, and if the Government have power to regulate rates over those roads, and if they have power over the Canadian Pacific Railway to regulate the freights on coal, it is their duty to reduce those rates so that Manitoba and the North-West may have coal much cheaper than it is to-day.

Mr. EDGAR. There is no doubt that this coal company is a very philanthropic concern. I see that they propose, in their prospectus to deliver coal infinitely cheaper than it is now delivered in the North-West. I notice that the document is signed by a number of gentlemen in Toronto belonging to the same profession that I do.

An hon. MEMBER. That is the only objection to it.

Mr. EDGAR. I see also a number of other Toronto gentlemen who are sacrificing themselves for the benefit of the public, among them being Hector Cameron, barrister; Arthur A. Boswell, barrister; John Small, Esq.; W. G. McWilliams, barrister; Thomas Davies, brewer; Charles McMichael, barrister, and a number of others. Now, I dare say, they will get the coal out as well as anybody else. I am glad to see them developing the country, but when you come to give a land grant to a short line of eight miles, I think the suggestion of the hon. member for Marquette (Mr. Watson), that the Government should make some conditions in connection with running powers over that railway, is a very prudent and proper one. This is not a railway company, it is a coal company, and it merely has incidental rights to build a line to the mines.

Mr. SCARTH. I may tell the hon. gentleman that, as far as Winnipeg is concerned, it is fully prepared to take the benefit of the philanthropic views of the barristers of the city of Toronto, whom the hon. gentleman has named; and we are glad that members of the same profession as my hon. friend are so philanthropic as to go up there and sell us cheaper coal. We are glad, also, that the Government are joining with them in endeavoring to get us cheaper coal.

Sir RICHARD CARTWRIGHT. I think, however, the Government would do that more effectively if they would act on the suggestion of my hon. friend from Marquette.

Mr. WATSON.

(Mr. Watson), and insist on the road so subsidised granting similar powers to other companies, if they have occasion to run over it. If I recollect aright the geographical position of the mines, they extend for a long distance from this particular locality at Medicine Hat; and it is quite true, as the hon. member for Marquette (Mr. Watson) observed, that a little further on other coal mines might be developed, so that I think it would be both convenient and proper that on this subsidised road we should reserve running powers.

Resolutions reported and concurred in.

Mr. WHITE (Cardwell) moved for leave to introduce Bill (No. 164) to authorise the granting of certain subsidies in land for the construction of the railways therein named.

Motion agreed to, and Bill read the first time.

Mr. WHITE (Cardwell) moved the second reading of the Bill.

Motion agreed to, and Bill read the second time.

FREDERICTON AND ST. MARY'S RAILWAY BRIDGE COMPANY.

Sir CHARLES TUPPER moved that the House concur in resolution reported from Committee of the Whole, respecting a loan to the Fredericton and St. Mary's Railway Bridge Company.

Motion agreed to, and resolution concurred in.

Sir CHARLES TUPPER moved for leave to introduce Bill (No. 165) to provide for advances to be made by the Government of Canada to the Fredericton and Saint Mary's Railway Bridge Company.

Motion agreed to, and Bill read the first and second times, considered in Committee, reported, and read the third time and passed.

GENERAL INSPECTION ACT.

House resolved itself into Committee on Bill (No. 152) to amend the General Inspection Act.—(Mr. Costigan.)

(In the Committee.)

On section 1,

Mr. LAURIER. This is according to the resolution of the Montreal Board of Trade, is it not?

Mr. COSTIGAN. Yes.

Sir RICHARD CARTWRIGHT. What is the object of it?

Mr. COSTIGAN. The object of this is to add the following as a sub-section to sub-section 30 of the Act:—

"Whenever flour is sold by sample and the inspector or deputy inspector is requested by the owner or the purchaser of such flour to inspect the same by such sample, he shall, notwithstanding anything in this Act contained, inspect the same accordingly."

At present a good deal of flour is sold by sample. Millers send their agents with samples of flour, and agree to deliver say a thousand barrels according to the sample. When the flour is delivered, if a dispute arises, as the law now stands the merchant who receives the flour cannot avail himself of the services of the inspector to see whether it comes up to the standard of the sample or not; and this clause will give that power to our inspectors. That is for the convenience of trade between the millers and the wholesale trade particularly.

On section 2,

Mr. COSTIGAN. This is to repeal the old classification of flour and to substitute the classification in the section. At present most of the flour manufactured in the country is

manufactured by what is known as the roller process, and our inspectors have no power to grade that flour, which is admitted to be of superior quality; and the object of this clause is to give that flour a grade. This provision has been approved by a meeting of delegates representing the Chamber of Commerce of Montreal, and the different boards of trade of the different cities, held in Ottawa last fall.

Bill reported, and read the third time and passed.

EXPROPRIATION OF LANDS.

Bill (No. 141) to amend the Revised Statutes, chapter 39 respecting the expropriation of lands, was again considered in Committee, and read the third time and passed.

THE SOLICITOR GENERAL.

Mr. THOMPSON moved the second reading of Bill (No. 42) to make provision for the appointment of a Solicitor General.

Motion agreed to, and Bill read the second time, on a division.

House resolved itself into Committee to consider a certain proposed resolution (p. 191) respecting the salary of the Solicitor General.

Resolution reported and concurred in, and referred to the Committee on the Bill.

House resolved itself into Committee on Bill (No. 42) to make provision for the appointment of a Solicitor General.

Bill reported, and read the third time and passed, on a division.

LICENSING OF WEIGHERS.

Mr. COSTIGAN moved the second reading of Bill (No. 136) to confer certain powers on Boards of Trade as to the licensing of weighers.

Motion agreed to; Bill read the second time, and House resolved itself into Committee.

(In the Committee).

Mr. JONES. This is not intended to apply to Custom house weighers?

Mr. COSTIGAN. No; it only applies to the weighers at the grain elevators. I have prepared a clause by which the boards of trade are empowered to license weighers for the purpose of weighing grain in elevators.

Mr. EDGAR. Can the Boards of Trade appoint any number they like.

Mr. COSTIGAN. At present there is no system. Any clerk may be engaged to do the weighing. We simply want to put it in the hands of the board of trade to say who these weighers may be. The reason for this is that in the old country the weighers are sworn, and naturally their statement, in case of dispute, is taken in preference to that of our weighers here, who are not sworn. This is to put them on the same footing, but we make it optional with the board of trade to adopt the system of sworn weighers.

Mr. EDGAR. But anybody can weigh, whether sworn or not?

Mr. COSTIGAN. No, after the board of trade has provided for that, we put a penalty on the weigher who is not sworn; for instance, if the Board of Trade in Toronto decide to leave things as they are, then anyone can weigh, but suppose the Board of Trade in Montreal decide to have sworn weighers,

then the elevator company would be compelled to take the sworn weighers.

Mr. EDGAR. How far does the jurisdiction of the board of trade extend?

Mr. COSTIGAN. In this Bill, we simply refer to the board of trade, to the district for which the board exists for other purposes. I suppose that is provided for by some other Act.

Mr. JONES. This is intended to apply to grain only?

Mr. COSTIGAN. To grain only.

Mr. JONES. In the case of vessels loading grain where there are no elevators—in Prince Edward Island, for instance, where large quantities of grain are shipped for the English market—what would the result of this provision be?

Mr. COSTIGAN. It would not apply there, because it has only reference to elevators.

Mr. PATERSON (Brant). How are they to be paid?

Mr. COSTIGAN. I presume the board of trade will regulate that by a fee. We do not propose to pay them. At present the elevator company pays them.

Mr. PATERSON (Brant). Have the board of trade any power to impose any fee?

Mr. COSTIGAN. Those who employ them will pay them.

Sir JOHN A. MACDONALD. The parties who employ them pay them.

Mr. PATERSON (Brant). It is a voluntary matter?

Sir JOHN A. MACDONALD. Yes, but they can only employ a licensed weigher.

Bill reported, and read the third time and passed.

BILL WITHDRAWN.

Mr. THOMPSON moved that the Order for the second reading of Bill (No. 137) respecting the payment of interest by the Crown, be discharged and the Bill withdrawn.

Motion agreed to, and Bill withdrawn.

Mr. EDGAR. I would ask the Minister of Justice whether it is not necessary that some provision should be made for the payment of interest by the Crown, in view of the decision given by the Supreme Court in the case of MacLean against the Crown, in which interest was allowed by Mr. Justice Henry upon the damages found by him, but on appeal the Supreme Court disallowed the interest on the ground, I understand, that they could not award interest against the Crown. When I saw this Bill, I supposed it was in order to meet that case. If it is the intention that the Crown should be placed on the same footing as subjects in petitions of right as they are in reference to damages, contracts, costs and all that sort of thing, I think legislation is necessary in reference to interest.

Mr. THOMPSON. No doubt a statute is necessary to give a right against the Crown in matters of interest, but I think, in conferring any right of that kind, it should be very carefully guarded, and I would rather not proceed with the Bill this Session.

PUBLICATION OF THE STATUTES.

Mr. CHAPLEAU moved the second reading of Bill (No. 159) to amend chapter 2 of the Revised Statutes of Canada, respecting the publication of the Statutes.

Motion agreed to; Bill read the second time, and House resolved itself into Committee.

(In the Committee.)

Mr. EDGAR. Is not this the Bill which the Secretary of State told us would relieve the Government from distributing the Statutes to the magistrates throughout the country?

Mr. CHAPLEAU. In a certain measure; that is from distributing them to each of the justices of the peace, as I have already explained. The Department over which I preside is now in communication with the Local Governments with a view to issuing these Statutes not to each justice of the peace but to one or two members only of each commission of the peace, and that will limit the distribution to 3,000 or 4,000 volumes instead of some 20,000 as at present.

Mr. MILLS (Bothwell). I expressed my opinion in regard to this matter when the hon. gentleman introduced this Bill. I do not know how it affects the other Provinces, but in the Province of Ontario these Statutes are found to be a very great convenience. They are distributed among the magistrates throughout the rural districts, and in fact they are used not so much by the magistrate in his official capacity, as for the purpose of furnishing information to the community, generally, with regard to what the law is. It is always convenient, where the Statutes are thus distributed, for parties who want to know what the law is, what changes have been made, and so on. They go to the magistrate in the locality where they reside, and examine the statute for themselves. The general advantage to the public is very considerable, and I think, as we are supposed to legislate and to incur whatever expense we do for the general interests of the community, there is no expenditure which we make that is of greater convenience to the community than that which we make for distributing the Statutes among the population in this way. It seems to me, however it may be in other Provinces, that in the Province of Ontario the public are benefited by the expenditure that has been incurred.

Mr. CHAPLEAU. I want to repeat that the gratuitous distribution of the laws in this country, strange to say, is more than double what it is in the United States, with a population of 60,000,000. There is no comparison to be made between Canada and England, because in England there is hardly any gratuitous distribution. As to my hon. friend's remark about distributing the Statutes to justices of the peace, I may say that, in my own county, for instance, there are eight or ten justices of the peace for each parish, and where there are 20 parishes, you have 200 copies of the Statutes for one county. At that rate we might as well distribute them to every elector.

Mr. LANGELIER (Quebec). I think it would be a retrograde movement to restrict to such an extent the distribution of the Statutes. I think the Secretary of State is mistaken in his estimate of the number of the justices of the peace. The distribution of the Statutes, of course, is confined to magistrates who have qualified, and as a great many of those whose names appear in the official *Gazette* have not qualified, the number of those entitled to receive the Statutes would be very small.

Mr. CHAPLEAU. There are 21,000 names of justices of the peace which we have received from the clerks of the peace.

Mr. LANGELIER (Quebec). I do not know how it is in the other Provinces, but in Quebec, according to the statements of the clerks of the peace, the list of magistrates who have qualified does not exceed a few hundred. In a large district like the district of Quebec, there may be thousands appointed, but very few of them qualified. I know, for a fact, that we have great trouble, in many cases, in finding

Mr. CHAPLEAU.

justices of the peace who have qualified at all. I entirely concur with the Secretary of State, that the distribution should not be made to those who have not qualified, because they have shown that they do not appreciate the appointment except as an honor. But it is quite a different thing with those who take that trouble, intending to act as justices of the peace, and it is of great utility to them and to their neighbors to have the Statutes. Not only the criminal laws, but many other laws would be of great use to them. When we are expending \$35,000,000 a year, I think we might better make economy in some other direction, than in the direction of restricting the distribution of the Statutes.

Mr. EDGAR. I really think that this change in the law will not only be very unpopular, but it is very unwise. One would imagine by reading this report, that there was some great change proposed in the law, and that it was proposed for the first time to print two separate volumes, one containing the public Acts and one the private Acts. That is all provided for now, and it is provided for already that the private Acts shall not be distributed to justices of the peace. They have been bound in one volume hitherto, and that is why we have not sent so large a volume to the justices of the peace. The law says it shall not be done. As the present law stands, it says that these Statutes shall be sent, just as section seven of this Act says:

"To such public departments and administrative bodies and officials throughout Canada."

Then this is the part which the hon. gentleman proposes to leave out—

"including justices of the peace, in the distribution of the first, but not of the second volume."

Now, I may say that there is nothing in the public Statutes in the first volume of our Acts of Parliament, that is not useful, and in fact necessary, for the justices of the peace who have qualified. I am sure that there would be almost a rebellion in Ontario among the justices of the peace who have qualified, if they find that they do not get, at least, the public Statutes. It is a retrograde movement. It is an unnecessary movement, and it is a grossly unpopular movement, and I warn hon. gentlemen of that fact to-day.

Mr. WALLACE. I am not surprised that the hon. member for West Ontario (Mr. Edgar), has shown so much indignation. In the Province of Ontario, out of 7,000 magistrates, I have no hesitation in saying that at least 6,000 of them are members of the Reform party, and many of them are totally unqualified to perform the duties of the office. They were put there for partisan services, and the hon. member for West Ontario now wants to reward them with two copies of the Statutes. I quite agree with the purpose of the Bill, and I think, after the explanations made by the Secretary of State, that they get all the laws they require for the purpose of performing the duties of their office. Many of them, to my own personal knowledge, never undertook to perform those duties, because some of them cannot sign their own name, and the most of them are utterly unqualified for the position. I think it would be a farce to send them these Statutes, as is proposed by the hon. member for West Ontario. Out of an exceedingly large number of magistrates appointed, there has not been a single member of the Conservative party appointed in the west riding of York during 16 years, and the men who were appointed, the most of them, I do not think would be a credit to any political party, as far as the qualifications for the office are concerned. I think the Bill is in the right for direction.

Mr. McMULLEN. I am surprised at the statement of the hon. member for West York (Mr. Wallace). I know that in my section of the country, as a rule, the Ontario Government has appointed gentlemen generally considered to be fit to discharge the duties of magistrates. Usually the

Government appoint as magistrates men who have occupied the positions of reeve and deputy reeve. In my section I know that in every single case those who were placed on the commission of the peace, were appointed because they were considered capable of performing the duties of magistrates, and not because they belonged to the Reform party. I think it is unfair for the hon. gentleman to make that statement. He possibly may have some reason for it in his own locality, of which I know nothing, but I can say that in the district of Ontario where I live, the Government have invariably appointed men capable of discharging the duty, regardless of politics.

Mr. SPROULE. No.

Mr. LANGELIER (Quebec). If the statements made by the hon. gentleman for York (Mr. Wallace) are correct, and I have no doubt that he believes them so, the Tory Governments of Quebec have improved a good deal upon the action of the Liberal Government of Ontario. It appears that the only fault of which the Liberal Government of Ontario has been guilty, is appointing their own friends, but in Quebec the Tory Governments have done better than that. Not only have they been in the habit of appointing their own friends, but they did away with all previous commissions of the peace, and they removed the justices appointed in 1863 when we had a Liberal Government, and in 1878-79 when another Liberal Government was in power. Then Liberal justices of the peace were *rari nantes in gurgite vasto*. The Conservatives wiped out all previous commissions of the peace in order to have good sound Tories appointed. The old justices included members of the Local Legislature, and others, possessing some qualifications for the office, and I know some of them to have held office for some twenty-five years, men who have rendered great service and actively engaged in the performance of their duties. Their commissions were revoked, and they were not reappointed until we obtained another Liberal Government in Quebec a few months ago. Previous to that time I do not think one Liberal could be found on the commission of the peace in Quebec. So while I am speaking in favor of the distribution of the Statutes, I am speaking in a disinterested manner. The Secretary of State knows that it is an actual fact that the Government which followed his own, the Government of the late Mr. Mousseau, struck off all previous commissions of the peace. So while I am speaking in favor of the justices of the peace, I am speaking in favor of the Tory justices of the peace of the Province of Quebec. I understand the laws are different in the other Provinces, where there are many more justices. In Quebec a justice of the peace has to be qualified in real estate to the value of \$1,200, and he has to take an oath that he possesses such qualification; but a great many of those appointed, who are proud to see their names appear in the *Official Gazette*, never take the oath of qualification, and to them it is surely unnecessary to send the Statutes. In Quebec the number of justices is very small indeed, and a trifling expenditure of money would be involved to send the Statutes to every one of them.

Mr. CHAPLEAU. The hon. gentleman is right in one way: Quebec has comparatively a very small number of justices of the peace. But it is not attributable to what the hon. gentleman has stated. He stated that the last Liberal Government of Quebec, against which I have nothing to say at the present moment, had not issued a large number of commissions as justices of the peace.

Some hon. MEMBERS. Oh.

Mr. CHAPLEAU. I do not know why the hon. gentlemen opposite should laugh because I say nothing against that Government; but I can say all I want, if I want it, and even unpleasant things, but I am not called on to do so at the present time. The present Government has not appointed a great number of justices of the peace.

Their time has all been taken up dismissing sheriffs, and other officers because of their political opinions. The number of justices in the Province of Quebec is comparatively small, the names in my Department not exceeding 1,700. There are about 4,000 in New Brunswick, 4,000 in Nova Scotia, and 7,000 in Ontario. In communicating with the Liberal Local Governments, I propose to ask them to appoint in every locality a president of the commission of the peace and a custos, to use an old English name, and to each of those two the Statutes would be sent, and I think that would be sufficient. Quebec has 900 municipalities, and between 1,700 and 1,800 justices of the peace.

Mr. LANGELIER (Quebec). That shows the great zeal of previous Governments in appointing Tories to the commission of the peace—dead men were appointed.

Mr. CHAPLEAU. It was better than what the present Government has done, for the late Government thus appointed men who could do no harm.

Sir RICHARD CARTWRIGHT. Does the Minister say that there are 4,000 qualified magistrates in New Brunswick entitled to receive the Statutes?

Mr. CHAPLEAU. About that number. I do not know whether they are all qualified, but their names are regularly in my office to receive the Statutes.

Mr. TEMPLE. Every other man in New Brunswick is a magistrate.

Mr. ELLIS. It would be well to remember that New Brunswick was in the hands of Conservative Governments from 1867 until within the last four years. That accounts for the number.

Mr. MILLS (Bothwell.) The Secretary of State I understand, has 200 or 300 magistrates in his own county. So the hon. gentleman must have made a very liberal provision for the administration of justice there.

Mr. CHAPLEAU. I said that in each of my parishes there were five magistrates, but that number multiplied by twenty does not make three hundred.

Mr. WILSON (Elgin). The hon. member for West York (Mr. Wallace) has a perfect right to speak for his county. If he finds that the population of his county is illiterate and that the people are unable to sign their names, of course he is the best judge. Perhaps that might account, to a certain extent, for his presence here. It is very unfair that the Dominion Government, because the Local Governments have the power to appoint magistrates, should seek to deprive the justices of the regular means of obtaining information with regard to the performance of their duties. Are we to understand that the Government are offering this proposal on the plea of economy? They really desire to attack the Local Governments, and through them the various magistrates throughout the Dominion. Whether there be or be not a large number of magistrates, the information they receive from the Statutes is a great benefit to them and is money well invested. Although the Government may feel a disposition, because the various Provincial Governments are under the control of Reformers, to take the action proposed, they may hope that, at some future day, their friends may be in power and then every other man may be appointed a magistrate, and they will have something to hold out as an inducement to the people to retain them in power besides the efficient manner in which Conservatives perform their public duties. It is unfair and unjust to the magistrates who have been in the habit of receiving the Statutes, and from them obtaining information as to their duties, that they should be deprived of them. They will resent it. Can the Government say, on this occasion, that it is on account of economy? Are we not familiar with the way in which the

Government give contracts and enormous amounts to which people are not entitled?

Some hon. MEMBERS. No, no.

Mr. WILSON (Elgin). Hon. gentlemen say "no." All they have to do is to refresh their memories with the events of two or three days ago and they will find something to cause them to say "yes" to the words I use. They know full well it cannot be proposed on the score of economy. We know full well that the Government are not economical, but that they are economical in so far as trying to enlighten the electors. It is not economy they are contending for, and I say it is unfair and ungenerous that they should have made the proposition they have made to-day, while they are spending the public money so lavishly.

Mr. WALLACE. With regard to the intelligence of the electors of West York, a matter which was referred to by the hon. member for East Elgin (Mr. Wilson), I have to inform that hon. gentleman that those Grit magistrates who cannot read or write do not vote for me; they vote the other ticket.

Mr. WILSON. Because they are intelligent.

Mr. WALLACE. The men who vote for me can read and write and are intelligent men. With regard to what the hon. member for Ontario (Mr. Edgar) has said, that if they did not get these Statutes there would be a rebellion among them, I would just say that there are no disloyal men in the ranks of the Conservative party, and we look for rebellions only among gentlemen of the other party.

Mr. GILLMOR. I think the hon. gentleman who has just sat down is responsible for all this waste of time. He could not let the thing go through without giving an insult to the great Province of Ontario; that was the cause of this quarrel, and no good will come out of it.

Sir RICHARD CARTWRIGHT. I may say that I made enquiry from a gentleman who was qualified to speak, and I believe that instead of their being 7,000 qualified magistrates in the Province of Ontario the number is about 1,400 or 1,500. I think, myself, the qualified magistrates are entitled to receive the Statutes, though I entirely agree with the hon. gentleman that it is not necessary to send them to those who do not qualify.

Mr. CHAPLEAU. I do not think my hon. friend is fair with me. We have already communicated with the Attorneys General of the different Provinces, asking them to give us the names of two persons in each municipality, who are qualified magistrates, to whom we will send them in future; but I wanted to avoid the useless expenditure which has been carried on for long years. That is what I said, and when I say that the number in Ontario who will receive the volumes under that arrangement will be over 2,000; I think he will see that we are not acting unfairly.

Mr. EDGAR. Take the case of the municipality of Toronto with a population of over 100,000; will there be only two copies distributed there?

Mr. CHAPLEAU. I do not mean such places as that.

Mr. BRIEN. I may say that, in the Session of 1886, one of the most enthusiastic Conservatives in my constituency was appointed a police magistrate, and I think there are several other Conservatives who have lately been appointed to the commission by the Ontario Government. I may say that I have had communications from a large number of those men, asking if the Dominion Government are not going to distribute the Statutes to each one of them, and I know there will be great disappointment if that is not done.

Mr. WALDIE. Before this Act is passed I hope an amendment will be made to equalise the distribution according to the population of the different municipalities.

Mr. WILSON (Elgin).

In my own county there are townships in which the population is five times as large as in others, so that, unless the distribution is made according to population, it will be very unfair.

Mr. LANDRY. If the method is adopted of sending only two copies to each municipality it will be unfair to my own Province. In New Brunswick a county constitutes a municipality, which, I think, is not the case in the other Provinces, or at any rate in Ontario and Quebec, where each county comprises a number of municipalities. I draw the attention of the Secretary of State to the matter, so that if the distribution is made in that way by the direction of the Attorney General, the matter may be arranged, in the case of New Brunswick, for a larger number to be sent than would be sent if this rule were adhered to. For my own part, I see no objection to continue sending the Statutes, as in the past, to all magistrates whether they qualify or not. I do not understand what is meant by qualifying, unless it means taking the oath of office, but I think that in the Province of New Brunswick they nearly all take the oath of office, and are therefore qualified.

Mr. LAURIER. If the hon. gentleman meant, as I understood him, that there were something like 20,000 qualified justices of the peace in the Dominion, I think he is mistaken, as I have information coming from the Attorney General, who I do not think could be misinformed as to the number. I am not aware, however, if any list of the qualified justices of the peace are sent to the Attorney General's office, and it seems to me that there are a large proportion of them who never qualify and never act as magistrates. They are simply appointed, their names appear in the *Gazette*, but they never act. I think if the hon. gentleman enquires at the different court houses in the Province of Quebec, he will find that the number in that respect is very much lower than he said, and that if the distribution was made only to those who are qualified the same object would be attained as that which he is now seeking to accomplish.

Mr. CHAPLEAU. I may say that I am in actual communication with the Local Governments, and the distribution is intended to cover something like 1,700 or 1,800 in the Province of Quebec, 2,500 in the Province of Ontario, and 1,300 or 1,400 in New Brunswick and Nova Scotia. The distribution will be very large, but it will not be made uselessly, as with the present system.

Mr. PERRY. The hon. gentleman proposes to send two copies to each municipality, but this would be very unfair if carried out with regard to Prince Edward Island, where we have no municipal institutions, outside of Charlottetown and Summerside. Of course, there are a number of justices of the peace appointed, for having been blessed with a Conservative Government since 1879, justices of the peace were very lavishly appointed there.

Mr. CHAPLEAU. When I spoke of the municipalities I spoke of Quebec, but regular means will be taken to make a fair distribution.

Bill reported, and read the third time, on a division, and passed.

HARBOR COMMISSIONERS OF QUEBEC.

Sir CHARLES TUPPER moved the second reading of Bill (No. 158) to authorise the advance of certain sums of money to the Harbor Commissioners of Quebec to complete the graving dock and other improvements in said harbor.

Motion agreed to; Bill read the second time, and House resolved itself into Committee.

(In the Committee.)

On section 1,

Mr. LANGELIER (Quebec). I would like to ask for information on some points. What is the total amount of the advance made by the Government to the Quebec Harbor Commissioners, including the amounts proposed in this Bill?

Sir HECTOR LANGEVIN. The total cost of the graving dock will be about \$910,000, and of the dock of the River St. Charles about \$3,300,000, including the amounts proposed in this Bill; and these will complete the works.

Mr. LANGELIER (Quebec). I understood that the graving dock was completed. Last year there was a great celebration on the opening of that dock, when it was considered to have been completed, and a steamship actually went into it. What kind of work is proposed to be done with the \$160,000 now asked for?

Sir HECTOR LANGEVIN. That is to complete the payment for work done by the contractors. There were extras claimed by them, which the engineers could not decide upon just at the moment. They would take everything into consideration, go over the whole work, ascertain what had been done and strike a balance to be paid to the contractors. There were also contractors for the machinery whose accounts have to be settled; there were certain other works that had to be proved to be properly constructed, and the levelling of the ground had to be completed. The sums provided for in this Bill are to cover the balances that are now due, and not for any new work.

Mr. LANGELIER (Quebec). What is proposed to be done with the \$1,100,000 now asked for improvements at the mouth of the St. Charles River? Last year we voted \$750,000 for the completion of that dock. I would like to know what that money was used for.

Sir HECTOR LANGEVIN. Last year we thought that, by obtaining \$750,000 with the small balance then in the hands of the Government, we could tide over the year up to the 1st July. We have not been disappointed in that. The balance stated then was for the purpose of completing the cross-wall from the Louise embankment to Dalhousie street, for dredging outside of the cross-wall, for dredging the wet dock inside of the cross-wall, and for completing the wall on the city side by St. Andrew's street from the gas works down to the cross-wall, and a little further down to carry out the drain from the city. All these sums make up the sum of about \$1,220,000 or \$1,230,000. From that we deduct a balance in the hands of the Government from previous votes of about \$140,000 or \$150,000, which, with the \$1,100,000 now asked for, will cover not only all these things, but also the claims of the previous contractors under the late Government, Messrs. Peters, Moore & Wright. They made a claim, which the commissioners refused to pay in full, because they thought it was excessive. The commissioners made an offer at the time, which was refused; I no not know whether it will not be accepted now. The amount now asked from Parliament will cover every claim and expenditure.

Mr. LANGELIER (Quebec). I see that it is estimated that \$80,000 will be required to meet the claims of the contractors, Messrs. Peters, Moore & Wright.

Sir HECTOR LANGEVIN. Not to exceed that, I think \$52,000 was the offer of the commissioners.

Mr. LANGELIER (Quebec). As I understand, a terrible blunder was committed by the commissioners some three years ago, when an arbitration took place between them and the contractors. The contractors being much shrewder than the commissioners—

Sir HECTOR LANGEVIN. Perhaps, as the matter is *en litige*, the hon. gentleman had better not discuss it, so that the case of the commissioners will not be prejudiced by anything that takes place here.

Mr. LANGELIER (Quebec). I wanted to know whether the amount in the Estimates is going to be for a final settlement between the Harbor Commissioners and the contractors?

Sir HECTOR LANGEVIN. Yes, this will settle it.

Mr. LANGELIER (Quebec). There is another point to which I wish to refer. Last year, when we were asked to vote \$750,000 for this work, I asked the hon. gentleman to explain in what way he intended the money should be expended. He said he would put on the Table certain plans which had been prepared. Those plans suggested three different schemes, and he said the scheme which had been adopted was scheme No. 3, namely, that of building an embankment at a certain distance from the wharves, thus avoiding the necessity of having to expropriate any property, and the risk of any consequential damages for property which would be deprived of its value. A contract, however, has been awarded and is now being carried on, based on a plan entirely different from that which the hon. gentleman explained the Government had adopted, and for which the money was voted. I am not going to discuss the merits of the several schemes, but only mention the fact, which may not have come to the notice of the Minister. It is important that, when we vote money for a particular purpose, it should not be used for a different purpose, and perhaps entail the payment of large damages.

Sir HECTOR LANGEVIN. No.

Mr. LANGELIER (Quebec). I do not see how it can be avoided. A necessary feature of the plan adopted is the building of a large sewer in St. Andrew street, and a wall to close up the dock on that side is being built. This will prevent access to all the wharves along St. Andrew street and the Palais. Schooners and other small craft will not be able to reach them unless they pass through the opening which will be left for the wet dock. According to the reports of the engineers, especially the report of Mr. Perley, the Chief Engineer, it will be entirely impossible for those small craft to frequent the wet dock, as it will only be opened for an hour at each tide, viz., twice a day, which is barely sufficient for the accommodation of the large shipping. Practically, therefore, all the wharves belonging to private individuals will become useless unless they can be utilised for large ships, and there is not sufficient depth of water for that. This will entail claims for heavy damages. There was a scheme proposed to build a small lock which would have cost \$180,000, to permit the passage of these small craft, but I understand this idea has been given up. If it has, I do not see how it will be possible for the commissioners to avoid having to pay heavy land damages and consequential damages.

Sir HECTOR LANGEVIN. The money voted last year was voted towards the completion of these works, and this is to complete them. The scheme of last year, as of this year, was to give us a tidal wall on the south side as well as on the other side. That was the object of the money voted. There were three schemes proposed, as the hon. gentleman has just said. One was to build a wall about the middle of the dock, and thus clear the end of the wharves. Another was to put the wall on the old commissioners land. That would have come just at the end of these wharves, and in two or three cases would have cut a portion of these wharves that have been built on the commissioners land, and, therefore, on property that does not belong to the riparian proprietors. The other scheme was

to build a wall in St. Andrew street, but we thought that wall would cost too much, and the only alternative scheme was to build a wall in the wet dock. When these plans were considered by the harbor commissioners of Quebec, the city council asked to see them; and they were put also at the disposition of the city council so that the harbor commissioners might have the benefit of their views. After considering the whole matter the general opinion was that the best scheme and the one which would cost least was the first scheme. This was the scheme by St. Andrew street, where we had no land damages, and would be an improvement to the city as well. By this scheme we would avoid an expense of \$200,000, and give the benefit of these improvements to small craft as well as to large ships. At all times, from the first hour of the day to the last, schooners may remain loading at those wharves, and go out and come in at a longer period than now. These wharves will be thus doubled in value. As to the second lock, the small lock of which the hon. gentleman was speaking, the harbor commissioners and the board of trade thought it was better not to build it, as the other was sufficient; and if, at any time, there was a necessity for a small lock it could be very easily built. I am sure from what I know of the place, and from the reports and consensus of opinion down there, that the scheme finally settled on is the best and the least expensive, and the land damages will be a minimum.

Mr. AMYOT. I suppose the Government is very well intentioned in lending this money to Quebec city, but there is a wrong principle in all that. For many years we have given the Quebec commissioners loans, and we do not consult the city of Quebec in regard to the choice of plans or of contractors or of engineers. The Quebec commerce is taxed for that, and it has not a voice in regard to the employment of the money. We have seen these works going on for any number of years, and they are now nearly useless and are not yet completed, and now we are again asked to borrow over \$1,000,000 in order to ameliorate them before their completion, and we are threatened that the smaller vessels will not be able to use the wharves which are surrounded by the embankments. I hope the Government will give instructions to the harbor commissioners, the majority of whom are appointed by the Dominion Government, to come to an understanding with the city in reference to these works. We could find any number of engineers in Canada who could perform this work better than those from abroad, who do not know our climate or our soil, and have no experience as to our waters or our land. We have in the city of Quebec any number of engineers who could have done the work much better than it has been done, and if we compare the plans of those engineers in the city of Quebec with those under which the work is being executed, we will find that they are far superior. More than that, there is a great deal of cement employed in these works. This is a most important question. I speak as a man who is in favor of the National Policy. We have the Canadian cement. Any engineer who has employed the cement from abroad and the Canadian cement, will tell you that the Canadian cement is far superior to that which comes from abroad. We never could obtain from the contractors, or from the engineers, or from the harbor commissioners, the employment of Canadian cement. What is the consequence? Our working population is being kept idle, and we send our money to other countries and pay two or three times the price. We pay three times the amount for an inferior cement that we would pay for a cement which would employ our Canadian workmen. This fact may be surprising to you at first, but if you knew that the party who furnishes that cement from abroad is one of the harbor commissioners, you would be less surprised perhaps, because you would guess that there is a nice commission connected with it. This is detrimental

Sir HECTOR LANGEVIN.

to Canadian interests, it is against the principle of a National Policy, it is against the interests of the city of Quebec, it is against the interests of Canadian laborers, it is against the principle that we should employ as much as possible Canadian products, and that we should encourage home industry, instead of sending so much money abroad in order to make profits for one or two individuals. We have often called the attention of the interested parties to that point. We were received with very nice words, but, when it comes to a practical point, the Canadian cement is left where it is, and the cars and the ships are filled up with cement from abroad. Lately, in Quebec, they were trying to change some part of the water works where Canadian cement had been employed some fifteen or twenty years ago, and they had to break the stones, but they could not break the Canadian cement where it was employed. Of course, there is a way of employing cement. When you give it to a contractor who is badly disposed, he will use it in such a way that it will not be a success, but a disinterested party, an honest engineer, will find it superior to any other cement; and the proof is that, when they employed large quantities of cement from abroad, they covered it with a little coating of Canadian cement in order to protect the other, and now we find many points where the walls on which this foreign cement has been used are giving way. I do not suppose that the Government is badly disposed towards Quebec, but the Government is deceived, and we who remain there see that every day. The cement employed costs dearer than the Canadian cement would cost, and the latter has a better chance of solidity and is a greater success than the other. However, when the interests of that part of the country are at stake, everything seems to turn against Quebec. I hope that, when the attention of the Minister is drawn to these facts, they will see that, at least for the rest of the works, these faults will be remedied, and that they will give instructions to the harbor commissioners to come to an understanding with those who represent the city of Quebec, and will see that the Canadian cement is employed wherever it can be employed.

Mr. LANGELIER (Quebec). I mentioned to the Minister the danger which there is in the adoption of the plan which is now being carried out there. In what I may call damming up St. Andrew's street, there is the danger of having to pay very heavy land and consequential damages. He stated that his scheme was adopted on the recommendation of men who knew much better than either he or myself did. Well, they are not the Government engineers. I have here the report of the Government engineers, and I will read the report of Messrs. Fleming and Perley. Both of these gentlemen are well known, and Mr. Perley is the Chief Engineer of the Department of the hon. Minister. Here is what they say in the report which the Minister himself has put in our hands. It is dated some time in 1886, I think in August, 1886. Here is what they say as to the scheme adopted and now being executed:

"As the gates in the cross-wall cannot be kept open for more than one hour at or near high water, it follows that the whole of this schooner traffic, as well as the legitimate traffic of the wet dock, will have to be passed in and out during that time; and, when there is a large number of schooners to be passed, a block must ensue, and a difficulty will then arise between the harbor commissioners as to the rights they possess to pass vessels from which they derive tolls and benefit, and the owners of private ships and the vessels which frequent them, from which, it is assumed, the commissioners cannot exact a toll."

This is putting the difficulty exactly as it is. Here is the plan which it has been proposed to adopt. The difficulty will certainly take place. It is out of all question to pass in one hour at each tide all the large ships that are expected to come into that dock, and the large number of small schooners which now frequent the wharves and slips, and for which there will be no other entrance but that for the large ships. Here is the plan proposed by these gentlemen to overcome that great practical difficulty. They say:

"As against the adoption of scheme number one, we (Mr. Fleming and myself) referred to the difficulties which must arise in dealing with the schooners which now use the slips on the northern side of St. Andrew's street, difficulties which it is absolutely necessary should be grappled with at once."

You see they state their opinion that these difficulties should be grappled with at once. The Minister says that it will be time enough to grapple with the difficulty when it occurs. The difficulty is already foreseen.—

"And for the avoidance of which we propose to recommend the adoption of scheme number three."

The Government knows that scheme number three has not been adopted, and scheme number one, to which the objections apply, has been accepted and is being executed.—

"There is one way by which, if scheme number one should be adopted by the commissioners, these difficulties can be overcome, and that is by the construction of a lock from the harbor into the wet basin in the position shown on the accompanying plan, such lock to be only large enough to pass the largest schooner which can frequent the slips referred to; and I may here state that the desirability of constructing this lock was brought to the notice of the commissioners early in 1884."

I do not know on what advice this plan has been given up, but I am quite sure that if it is not accepted, the commissioners will have to come back to this House and get more money to build a lock. It will have to be built, and if it is not built, much heavier damages will be claimed than the cost of the lock. I agree with the Minister, that if communication with the wet dock is left open for schooners, not only these private wharves and slips will not suffer any loss, but they will be increased in value. But it is conditional upon their having free entrance to the dock, which entrance they are not going to get, according to the reports I have quoted. They will have to pass through an entrance which will be opened only twice a day when the tide is high, and it is perfectly impossible for the big ships and small craft to pass through that in two hours each day; it will give hardly time enough to allow the passage of the large ships that will frequent the dock. As to the schooners and small craft, the entrance communicating with the dock will be practically closed to them, and, therefore, we shall have to meet a claim for damages by the owners in St. Andrew's street. I am of the opinion of the engineer, that it would be much better to grapple at once with the difficulty, to which it is useless for us to shut our eyes. The difficulty will arise as soon as the work is in operation, and why not at once build that lock and avoid the difficulty?

Sir HECTOR LANGEVIN. After consulting with the engineer and the boards in Quebec, it was found that it would be better not to build the lock, at all events, for the present. After the remarks of the hon. gentleman I shall not fail to call the attention of the commissioners, and especially of the engineers, to what he has said, in case there might be a necessity for the lock now. In that case the commissioners will construct it, and the amount of money voted now will cover that.

Mr. LANGELIER (Quebec). The Minister will understand the importance of this question by consulting the documents which have been distributed to members of this House, among which is the report of the conference between the harbor commissioners and the members of the city council and the council of the board of trade. He will there see the remark of Mr. Perley, Chief Engineer of his Department, who says that he does not think entrance into the wet dock will be sufficient for big ships, though it may be sufficient for the small craft. If that be so, it will become necessary to construct a large lock, which will be a very expensive affair, and will cost three quarters of a million. But he says that, for the present, as long as the traffic is not larger, that entrance will do for large ships.

Bill reported, and read the third time, and passed.

REPRESENTATION IN HOUSE OF COMMONS.

Mr. THOMPSON moved the second reading of Bill (No. 140), an Act in addition to the Revised Statutes, Chapter 6, respecting representation in the House of Commons.

Motion agreed to; Bill read the second time, and House resolved itself into Committee.

(In the Committee.)

On section 1,

Mr. THOMPSON. The object is to correct a clerical error in the Revised Statutes. Notwithstanding the addition made of the four members for the North-West, under the act of last Session, the representation Act was carried forward into the Revised Statutes, with the word "211." The object of section 2 is to preserve the representation Acts as they existed prior to the Revised Statutes. Of course, the Revised Statutes repealed the previous legislation. It is not intended that the boundaries, as previously established, shall be changed.

Bill reported, and read the third time and passed.

THE-QUEBEC JUDICIARY.

Mr. THOMPSON moved that the House resolve itself into Committee to consider a certain proposed resolution (page 862) respecting the salary of an additional judge of the Superior Court of the Province of Quebec.

Motion agreed to, and House resolved itself into Committee.

(In the Committee.)

Mr. THOMPSON. The Legislature of Quebec has made provisions for the appointment of an additional judge in that Province for the district of Terrebonne, and this is to make provision for his salary.

Resolution reported and concurred in.

Mr. THOMPSON moved for leave to introduce Bill (No. 166) to amend chapter 138 of the Revised Statutes representing judges of the Provincial Courts.

Motion agreed to, and Bill read the first time.

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

WESTERN COUNTIES RAILWAY.

Sir CHARLES TUPPER moved the second reading of Bill (No. 157) to confirm a certain agreement between Her Majesty and the Western Counties Railway Company, and for other purposes.

Mr. JONES. This Bill, according to the declaration of it, is intended "to confirm a certain agreement between Her Majesty and the Western Counties Railway and for other purposes." There has been a Bill already passed through this House by the company, and some exception was taken to the passage of that Bill before the Railway Committee, and I was not aware until to-day that it had passed its final stage in this House. I was requested by the Government of Nova Scotia to have a clause inserted in it to provide that the rights which the Nova Scotia Government possess, under their mortgage on the Western Counties Railway, should not be affected by the legislation of this House. There was a clause added to that Bill which, in the judgment of the Minister of Justice and other legal gentlemen, was considered sufficient to provide for the protection of those provincial rights. But that clause having been submitted to the Government of Nova Scotia, they did

not appear to be satisfied that it is sufficiently distinct and explicit under the terms on which they hold a mortgage on that property. The Government of which the Minister of Justice was Premier in Nova Scotia, loaned a certain sum of money to the Western Counties Railway Company, and it was provided in one of the clauses, clause 14 :

"That in the event of the interest on the debenture stock guaranteed by the Government of Nova Scotia as hereinafter provided for the interest to the said municipality of Digby and Annapolis as hereinbefore provided for being unpaid by the said company for six months, after the same shall become due, the said Government may sell the whole or any part of the securities in its possession or under its control and deal in such a way with the proceeds thereof as will best protect said Government and said counties from any future demand in respect thereof, either by the redemption of the debenture stock or otherwise, and may also sell the western division of the said company's railway without foreclosure, and in such manner and after such notice as to said Government shall seem most convenient."

This is a mortgage with power of foreclosure, according to the agreement, which the Government of Nova Scotia desires should not be interfered with by any legislation in this House at the present time. I have received a telegram from the Premier of Nova Scotia, saying that the Nova Scotia Government are practically the owners of the road, and it is monstrous that the company should seek this Bill without the consent of that Government. It was in consequence of receiving that communication that I gave notice of an amendment, which I placed on the paper last night and which I will now move. I move that the Bill be referred back to the Committee of the Whole to amend it by adding the following clause, which was telegraphed to me by the Government of Nova Scotia asking that it be inserted in the Bill :—

Nothing herein contained shall be held to abridge, restrict or in any way affect the power of sale or any other power, right or privilege given to the Government of Nova Scotia by the Western Counties Railway Company under and by virtue of a certain agreement made on the 16th day of August, 1879, between Her Majesty the Queen, represented by the Hon. Samuel Greelman, Commissioner of Public Works and Mines for the Province of Nova Scotia, and the Western Counties Railway Company.

I think there should be no objection to the insertion of this amendment as a clause of the Bill at this stage of the Bill. The Act is intended to confirm an agreement made by the Company with the Government, and of course with the insertion of this amendment it would provide all securities necessary, because by the agreement with the Government in clause 24, which we are asked to confirm to-day it says :

"The company shall on or before the 1st day of July, A.D. 1887, complete all arrangements to the satisfaction of the Government for the settlement of all existing liens on its property, its indebtedness, whether to the Government of Nova Scotia, to municipalities, to existing debenture stockholders or otherwise, and shall, within a reasonable time thereafter, pay, settle or procure a discharge of the same, and of all existing liens on its property."

It confers on the Government the power, which seems a very excessive power, of disposing of debenture mortgages on the road to the extent of \$50,000 per mile, and provides that the money shall be placed in the hands of the Government and be disposed of and appropriated as follows :—first, to the payment of interest; second, to the building and completion of the line; third, to the payment or satisfaction of the existing obligations of the company. Here, according to the way I read it, it would appear that the payment of existing obligations of the company come in after all those payments are completed; after the interest on the debentures is provided for and after the road is built. I think this is rather inconsistent with the original clause, though I am not prepared to put the proper legal construction upon it, I admit. I would ask the Minister of Justice whether, taking it altogether, it would not appear that "the possessors and owners of existing obligations, &c.," are the only persons to be paid off out of the moneys realised under the authority of the Act. However, if the amendment is incorporated in the Bill, as I now propose, it would obvi-

Mr. JONES.

ate all difficulty in the matter and give it a clear and distinct understanding.

Mr. THOMPSON. I do not understand whether this is the amendment of which the hon. gentleman has given notice, which relates to a private Bill of the Western Counties Railway Company, or one relating to this Bill.

Mr. JONES. The hon. gentleman will see that while the number is wrong the description is right.

Mr. THOMPSON. I was not thinking of taking advantage of any objection of that kind, but I really thought that he intended that this should apply to the private Bill.

Mr. JONES. To both.

Mr. THOMPSON. The company proposed that they should have the right to issue new debentures to displace the old ones, and that in order to have the right to do so, they should get the assent of 80 per cent. of the holders of the old debentures. That proposition was opposed, and very properly, and the matter was corrected in committee, so that the Bill now requires that all existing liens must be satisfied before these debentures may issue. I think, therefore, that the claim of the Nova Scotia Government, which is a lien on the property, and a lien which has arrived at such completeness that they can sell the property, is completely protected by this provision. In other words, a necessary part of the company's scheme is to raise a large sum of new debentures on the railway, but they cannot raise a dollar until the Nova Scotia Government is satisfied. The hon. gentleman is not quite correct, I think, in his apprehension of the effect of this Bill, and I think it would be quite out of place to insert such a provision as he proposes—a provision for protecting the rights of the Nova Scotia Government. The whole tendency of this Bill is to aid the Nova Scotia Government and enhance the value of its property. It has the effect of giving \$500,000 upon a portion of the railway, so that, so far from impairing the security of the Nova Scotia Government, it adds to it, and there is no provision in the Bill which has the effect of placing the lien of the Nova Scotia Government to any extent in the position of a second lien. The objects of the agreement which we affirm by this Bill are these: The Government appropriate \$500,000, and the company pay into the hands of the Government all they raise on their own debentures, and that joint fund is appropriated for the completion of the 18 miles between Annapolis and Digby, and for the other liabilities of the company after making provision for the interest which is to be guaranteed. But the company cannot raise money on the debentures until the liens now existing are satisfied, and if the company fail to discharge existing liens to the satisfaction of the Nova Scotia Government, or the municipalities, then that portion of the scheme falls through, and all the Dominion Government could do would be to expend on these 18 miles the grant of \$500,000.

Mr. JONES. I am quite willing to accept the opinion offered by the Minister of Justice, who is also quite right in saying that the expenditure of the money on this portion of the road will improve the security of the Local Government on the property generally. For these reasons I shall not further press the motion. I will say at the same time, however, that I regret that this expenditure has not been combined with some system of consolidating all our roads, which was an object we have all desired to arrive at. That is the object the people of Nova Scotia are aiming at, perhaps even more than at the completion of this link, important as that link may be. This arrangement would hardly secure that, although no doubt it could be done by an arrangement between the different companies. I would suggest to the Minister of Railways that it might be well to

take power to deal with the Windsor Branch, in the event of the Government finding it convenient to negotiate with any company regarding a future consolidation of the railway system of the western counties.

Sir CHARLES TUPPER. The hon. gentleman is aware that the Government always have power, subject to the approval of Parliament, to make any arrangement of that kind. It is not necessary to provide for it specifically by a Bill, and in fact that would be rather objectionable. If the Government find, in the interest of the country, that they can effect the consolidation of those roads they would have power to enter into a contract, simply requiring the approval of Parliament, such as any arrangement or consolidation would necessarily require.

Motion agreed to; Bill read the second time, considered in Committee, and read the third time and passed.

SUPPLY.

House again resolved itself into Committee of Supply.

Department of the Interior.....\$121,115

Sir RICHARD CARTWRIGHT. I see that there is an increase of no less than eight officers demanded in that Department, although the expenditure is already very large.

Sir CHARLES TUPPER. This increase is for forty statutory increases at \$50, two at \$25, two promotions from \$750 to \$1,100, besides the appointment of eight permanent third-class clerks.

Sir RICHARD CARTWRIGHT. My objection is this: that judging from our census returns and the number of sales, I see no just cause for any increase in the number of officers. It seems too bad that we should go on and spend \$10,000, exclusive of very large votes for extra clerks of \$30,000, and for extra services of \$7,000. Here is a total expenditure of about \$160,000 for that Department, and, looking at the receipts we get and the very small increase in our population, it does seem to me that it is monstrous to spend such a sum as that.

Mr. SPROULE. While this item is under consideration I think it would not be amiss to say a word or two in regard to the Civil Service at Ottawa. I think it would be wise if a change were made in the office hours during the Sessions of Parliament. As a general rule, in the mornings, we come here between 9 and 10 o'clock, and then if we go to the Departments before 10 or half past 10 we can get very little work done because very few of the clerks are to be found in the offices. During the rest of the morning we are engaged in committees, and at noon most of the clerks are away for an hour. We come back here at 3 o'clock to see what is the order of the day, and after the House is open for a short time, if we want to go back to the Departments to get some work done, it is 4 o'clock and the clerks are all away. Virtually the hours for the Civil Service are from 10 in the morning until 4 in the afternoon, while the members are engaged all hours of the day and night. I think if a change were made so that the offices would be open from 9 or half past 9 in the morning until 6 in the afternoon during the Session when we rise, it would greatly facilitate the work members have to do. These officers receive a fair remuneration for their labor, if you compare their hours with any other line of life. If you take the hours, from 10 to 12, with an hour's intermission, and from 1 to 4, you find they have only five hours a day, and on Saturday afternoons they are off. Saturday is a day on which most of the members are disengaged, and on which they could do a good deal of work; but if you go to the offices between 12 and 1, you will find the clerks preparing to leave, and after 1 they are out of their offices. Therefore, I think that these offic-

als receive fair salaries, as their hours are very short, and as they have a great many holidays, the offices should be kept open, at least during the Sessions of Parliament, more hours than they are now. In the winter, perhaps, it might not be well to keep them open until 6, but I think they might be kept open until 5, and at this time of the year they might be kept open until 6 in the evening.

Mr. WELSH. I do not agree with my hon. friend at all. I would like to see him in those offices from year's end to year's end, and stay there from 10 to 4; he would not then like us to give him longer hours. I find that they are always in their offices at 10 o'clock in the morning and up to 4 in the afternoon, and if we cannot get all the information we want in that time, we are better away. I am not under any compliment to those officials, but I think their hours are long enough. It becomes monotonous from year's end to year's end, and if you would keep those men there until six o'clock, it would be a hardship. We are only here for a short time, two months or so, and if we do sit up for a few hours, what is the harm? If you did that all the year round, you would want shorter hours.

Mr. SPROULE. I can only say that our hours are from 17 to 20 in a day; and if we are kept here for only two months, it only means a short time for them to have their offices kept open during the Session.

Mr. WELSH. Yes, but we can go down and get a drink and something to eat, and they cannot.

Mr. SPROULE. I think they do very often.

Sir RICHARD CARTWRIGHT. If my recollection is right, it was the rule that those gentlemen should attend until 4 o'clock on Saturdays during the Sessions. I think the hon. member is right enough, that during the Sessions of Parliament those gentlemen should be at their offices for several hours on Saturday.

Sir JOHN A. MACDONALD. I think so, too.

Sir RICHARD CARTWRIGHT. Members of Parliament have very great difficulty in getting at them even on other days than Saturday, and certainly some members of Parliament are much more hardly worked than the clerks, though perhaps not all. What is the rule?

Sir CHARLES TUPPER. From half-past 9 to 4. At most of the offices I think they remain until 4 on Saturdays. I think that is the rule.

Mr. MILLS. That is the rule but it is not the practice.

Sir JOHN A. MACDONALD. No, it is not the practice.

Sir CHARLES TUPPER. The item of \$8,300 expenses of North-West Mounted Police is made out by three statutory increases and a new third-class clerk.

Customs\$337,665

Mr. BOWELL. There is an increase of \$3,000 in travelling expenses of the inspectors. There has been, since the last estimates, a new inspector appointed, which consequently adds to the contingencies of that branch for the Quebec district. Also the duties of inspector have been given to an officer in Manitoba, who is on the retired list. By adding a small sum to his superannuation allowance he attends to that duty. Mr. Mingay is the officer superannuated, and is now acting as inspector.

Sir RICHARD CARTWRIGHT. I have reason to believe that Mr. Mingay, whom I knew well, was a very competent officer and well fitted to discharge his duties. This is rather a new departure, superannuating a gentleman and then employing him in a separate capacity. That is rather contrary to the statute.

Sir CHARLES TUPPER. Quite the reverse. The statute provides you may call them back to the public service, but you suspend their superannuation.

Sir RICHARD CARTWRIGHT. That is not what has been done. You may call them back to the service but the new office and salary are not to be inferior to the former one. As I understand, the Minister superannuated Mr. Mingay and then gives him another position, with a small addition to his superannuation allowance.

Mr. BOWELL. The hon. gentleman is quite correct. Mr. Mingay was in the past, and is still, if his health would permit, one of the best officers in the service, and I thought it well, if he would accept it, to give him the position of inspector. There is not a sufficient number of ports in the Province of Manitoba to justify the appointment of an inspector at an inspector's salary, and Mr. Mingay, who is well fitted for the work, accepted the position with the small increase to his superannuation allowance. The Act says you cannot call back a person to the service and compel him to accept an inferior position, but there is no provision to say that he may not accept a position.

Sir RICHARD CARTWRIGHT. This is one of those cases in which, though Mr. Mingay is a good officer, and will do his duty well, a precedent will be established which will lead to abuse. It would have been much better to have appointed him at a salary equal to the amount he now receives, and to suspend his superannuation allowance.

Mr. BOWELL. There is no principle that cannot be abused. On this particular occasion, the action of the Government, is the best that could be taken. We could not give, under the Act, Mr. Mingay the same salary as an inspector as that which he received as collector, and so we made the arrangement I have mentioned. I was going on to say that the increase of \$3,000—

Mr. WELSH. Carried.

Mr. BOWELL. I believe my hon. friend would carry all my estimates.

Mr. WELSH. I believe I would.

Mr. BOWELL. The Board of Customs has increased by \$3,000, owing to the adding of some salaries which were formerly paid out of contingencies, and one or two of which were charged to the different ports. Then, the \$3,000 for Chinese immigration is not an increase, because it was voted last year among miscellaneous items. It is added here, as the Finance Department contended that the carrying out of that law was in the hands of the Department. That accounts for \$9,000 of this increase, and the others are minor increases in the different ports. At Berlin it is proposed to give \$50 in addition to the collector. He has \$800 now, and that place is growing very rapidly.

Sir RICHARD CARTWRIGHT. I will not trouble the hon. gentleman to go through all these in detail.

Mr. BOWELL. That is what you asked me.

Sir RICHARD CARTWRIGHT. I asked for some general statement of the cause of the apparent increase. I wanted specially to call the attention of the hon. gentleman to the fact that in Montreal \$14,000 was added to our total expenditure, which seemed a very large figure. In the case of the port of Montreal, I would like to hear some explanation.

Mr. BOWELL. The only explanation I can give is that last year the estimate for Montreal was not sufficiently large, and the great increase of labor, or rather the increase of the duties, which are increasing continuously, in proportion to the increase of the shipping and the opening up of every new railway station, necessitates the putting on of two or three men, or three or four men, to look after the night trains as well as the day trains. The opening up of the Canadian Pacific Railway, and the establishment of another station necessitates the putting on of almost as many men as there are at

Sir CHARLES TUPPER.

the Bonaventure station, and so with regard to almost every station in every part of the country. I may add, in connection with the Montreal service, that there is a proposition to increase the salaries of some of the ordinary officers, some receiving \$550 and some \$600, by giving them an additional \$50 or \$100 as the case may be, and as we think they deserve it.

Mr. JONES. There would be no objection, of course, to increasing the expenditure at a large port like Montreal, if the result would be to prevent such irregularities as we have discovered there to such a large extent. I took the opportunity to refer to that the other night, but since then we have seen another case of irregularity by which, according to the statement in the newspapers, the Government has been defrauded of a large amount of duty arising out of some transaction connected with coal, substituting English or foreign coal for American coal. This was reported in the newspapers the other day.

Mr. BOWELL. I have not heard of it. I do not see how there could be a fraud in substituting one quality of coal for another, unless it was by substituting anthracite for bituminous coal, the one being at 50 cents and the other 60 cents, or in ex-warehousing lower ports coal instead of the imported article and then selling the imported coal.

Mr. JONES. It was reported as English coal, and I saw it so reported in the newspapers. I am glad to hear that it is not true.

Mr. BOWELL. I did not say that. I do not say it is not true; but the only way in which that could be done would be by importing the coal in bond, ex-warehousing it, and then allowing it to go into general consumption, but it could not make any difference where it came from.

Mr. JONES. That is what was reported to have been done. As to the general expenses in regard to the Custom house, I made up the average expense of collection, and I find it is 4·10 for the Dominion, 5·10 for St. John, 6 for Quebec, and 4·4 for Halifax. It would, therefore, appear that the expenses at the port of Halifax are very much smaller than they are elsewhere, and there is a great deal of work done there in the winter in forwarding goods to the upper Provinces. In regard to a matter which was referred to the other day, as to travelling Customs detectives, I would ask, if they are in a position to make these seizures, whether the fines imposed by these inspectors are imposed and collected by themselves? The hon. gentleman in answering my hon. friend before me the other day, gave us to understand that Watters, one of these inspectors or agents, had received \$6,000 within a short time of two or three years. I would be glad to hear what the arrangement is with this gentleman, because, as I said before, while I have no objection whatever to their visiting these various places of business and detecting any irregularity, I think it is not exactly in the interest of the public that they should have the power themselves of imposing a fine, and compromising with the parties on the spot. My view would be rather that they should report it to the Minister, and that the Government should deal with it according to their view of the public interest. There is another matter to which I was going to ask the attention of the Minister, and that is with reference to the surveyor of Customs in Halifax. I took occasion the other day to refer to this, and I suppose that appointment has not yet been made.

Mr. BOWELL. You spoke to me privately about it.

Mr. JONES. Yes. I hope the hon. gentleman will not appoint the person who is publicly spoken of there as likely to get that position. I have nothing whatever to say against Mr. Garrison, because I believe he is a very deserving young man, but a few years ago he was assistant to the gaugers in Halifax, and occupied a position which was not a very im-

portant one. Since that he has been doing in-door duty, and he has done it very satisfactorily, but he is not a man who, by training or any other qualifications which may be necessary, should be placed at the head or in the position of surveyor of Customs in Halifax. That is my judgment, and I have heard it spoken of by a great many people in Halifax as well. The only ground upon which he had or was supposed to have any claim was a ground which I hope will not be adopted as a qualification for an important position like that. I have no doubt that there are men in the Customs Department who would be very much better qualified than this person is, and I hope the Minister will think very carefully before he appoints a person to such an important position without the necessary qualification. I am informed that he has failed to pass the necessary examination. That may not be anything against him, but he is not a person for that office. You want a man who can go about among the merchants and to whom the lockers, the employés and the tide-waiters will look up to; you want a man of a different type entirely from this person.

Mr. KENNY. I have no personal knowledge of Mr. Garrison, and I do not presume to dictate to the Minister of Customs who shall be appointed to that important position. On the general question of Customs, I may say that according to a letter from Halifax, from a copy of which my colleague appears to have quoted, Halifax is the third port in the Dominion as regards the amount of duties collected. From 1st November, 1886, to 1st May, 1887, 474 steamers and sailing vessels were entered in the port of Halifax, with a total tonnage of 343,143 tons. I mention this so that gentlemen from the rural districts will recognise the importance of that port. I do not believe there is a port in the Dominion where the duties are more regularly and more satisfactorily paid to the Department than in the city of Halifax. All we desire there is that we shall have perfect uniformity. We realise that in our system, where there are so many different appraisers, differences of opinion will occasionally arise. I know that in the United States there is a frequent conflict of opinion between an appraiser at Chicago and another one at New York, and this leads to representations to Washington, and to great differences of opinion among the merchants. I mention this because I wish to remark to the Minister that I consider the scale of salaries paid these officials in the city of Halifax a very small one, and I hope he will see his way clear to revise it, and make the remuneration, to some extent, proportionate to the work, and to the commercial importance of that port. As regards the detective service to which my colleague has referred, that is a very vexed question, one which I can understand that differences of opinion should exist. But I will draw his attention to the fact, which I dare say has not escaped his memory, that during the days of the Administration of Mr. Mackenzie, it was stated that great irregularities existed in the collection of the revenue in Nova Scotia. I know that idea was entertained by a gentleman prominent in commerce, a very prominent supporter, and one of the most influential political friends of my colleague. I know that when the late much-respected and much regretted Mr. Burpee, the Ministers of Customs of that day, visited Halifax, his attention was drawn to these matters by my friend. I know it, because I have had frequent conferences with my fellow-merchant on that subject. The Minister of Customs of that day sent for my friend who brought these irregularities to his notice. He brought them in this way: he expressed very strongly the opinion that, in certain localities, the revenue was not fully and properly collected. He was asked by the Minister of Customs to give him a specific case, and he gave a very characteristic answer. The answer was: "I am not a Customs' detective for the Government, that is your business and that of your subordinates." As we have so great a number

of ports of entry in Canada, it is impossible to have, at all these points, competent appraisers, and, consequently, I think it is necessary that there should be close inspection and close supervision of the collection of the revenue all over the country. We cannot reduce the number of ports of entry; the people have enjoyed the present number and would resent any reduction. I recognise that we cannot keep at all these places competent appraisers, and the only way to have the work carried on properly is by a close system of inspection. As regards the detective service, I have heard of certain cases which, if they are correctly reported, show that great hardship has been suffered, and that there has been a very arbitrary use of power. I do not express an opinion upon these cases, because I have no knowledge of them, but I think we all recognise that the revenue should be fairly collected and the law fairly and equitably enforced, and I am afraid we cannot do that without some system of detective service.

Mr. McMULLEN. Is it the duty of these inspectors of ports principally to see that goods are not smuggled into the country?

Mr. BOWELL. Certainly not.

Mr. McMULLEN. Whose duty is it?

Mr. BOWELL. Every officer who is paid a dollar.

Mr. McMULLEN. Could the Minister of Customs say whether smuggling has been on the increase or not, along our border?

Mr. BOWELL. I could not say.

Mr. McMULLEN. Are there no returns that would show that?

Mr. BOWELL. There may be the number of seizures, but that is no evidence. The number of seizures may be greater, but that is not evidence that smuggling is increasing.

Sir CHARLES TUPPER. I am unwilling to detain the Committee for a moment in passing these Estimates, but I cannot allow the remarks made by the senior member for Halifax (Mr. Jones), to pass without a word of comment. The members of this House are under a great responsibility and are clothed with great power. They occupy a position which enables them to assail the characters of private individuals who are not in this House, and to do so without being responsible for their statements in the manner in which persons are responsible who make statements outside of this House. My hon. friend behind me (Mr. Kenny) says he does not know Mr. Garrison. I do. I had the honor of placing Mr. Garrison in office many years ago. The senior member for Halifax (Mr. Jones) intimates that he is not sufficiently aristocratic, that he has demeaned himself by performing duties of an inferior character, when he was connected with the Excise, in carrying rods, whatever that may mean, for the officers who were over him. Now, I wish to say that Mr. Garrison is the son of a highly respected Wesleyan clergyman. He was appointed many years ago in a very subordinate position. By attention to his duty, by his high personal character, and from having discharged his duties in a very efficient manner, he has risen step by step until he is now acting surveyor of Customs, the next position to that which reference has been made. I have not had the pleasure of seeing him for many years, but I have learned, and been very much gratified to learn, that no person has done greater credit to the office to which he was appointed, no person has risen more regularly step by step by the efficient discharge of his duties. I think it is an abuse of the power possessed by a member of this House, under those circumstances, to single out a public officer by name, where he is not known, and a thousand miles from where he resides—for the remarks made by the hon. gentleman would not have injured him in the

slightest if made in Halifax where he is known—and hold him up as unworthy of filling a public position. I do not want to detain the House, but I feel it incumbent upon me to say this much, knowing, as I do know, that Mr. Garrison is deserving of the very highest favor and consideration at the hands of the head of the Department. There is no qualification held to be so great for the performance of duties of that kind, as the fact that a man has risen by his own industrious and painstaking attention to the duties of his office from the very lowest grade to the highest. It is the boast of the man who, at this moment, is receiving the largest salary of any official in Canada, that he has risen from the very lowest position in the service up to the position he now occupies; and I have always regarded the fact that a person passing through every grade in that commendable way, that enabled him to be advanced from one step to another, as forming a claim, rather than placing him in a position to be reproached for having performed duties of a subordinate character many years ago.

Mr. JONES. I am not disposed to allow the Minister of Finance, high as his position may be in this House and in the country, to put words in my mouth that I never uttered. I said nothing with respect to Mr. Garrison regarding his position, want of aristocratic or social position; I said nothing about his having demeaned himself by his previous occupation; I said nothing but what was respectable and proper.

Sir CHARLES TUPPER. What did the hon. gentleman mean by saying that Mr. Garrison carried rods for the officers of the excise?

Mr. JONES. I will tell the hon. gentleman. Hon. members know that for a person to be a surveyor at a large port like Halifax, he should be a person who has had some experience in the in-door work of the Department, that he should be accustomed to deal with tide-waiters and lockers, and that branch of the service generally; and having mixed with the mercantile community be able to make such arrangements with his subordinates as would meet the requirements of the port. I merely mentioned that Mr. Garrison had no such training. All the hon. gentleman has said with respect to Mr. Garrison's good behavior, I thoroughly believe; I have never heard anything whatever against him; I believe he is a young man of excellent quality and behavior in every respect. But he may be all that, and yet not be suitable for the higher position in which, I understand, the Minister of Customs intends to place him. That was my argument, and, therefore, the Minister of Finance need not have shown the unbecoming temper he did show in regard to my remarks, because I said nothing with respect to Mr. Garrison but what was directly in the public interest. I do not expect the Government to appoint anyone on my recommendation, or any one on my side of politics; but I only ask them to appoint someone who will have sufficient knowledge of the out-door business in a large city like Halifax, and be able to discharge those duties efficiently. We have had men heretofore in that position who have discharged the duties of it very satisfactorily, who were for a long time in the higher branches of the Department, which Mr. Garrison has as yet never reached. It was only in that view of the case I ventured to ask the Minister of Customs to consider well the question and make a selection from those men who are in the Department, or, if he thinks better to take someone from outside, who will be looked up to more by those older servants in the Department than, in my humble judgment, Mr. Garrison will be. That is the only reason why I brought this matter before the Committee; and, therefore, the hon. gentleman, in attempting to put words into my mouth which I never uttered, and seeking to cast a stigma on Mr. Garrison which I never intended, is utterly out of place and out of order.

Sir CHARLES TUPPER.

Mr. McMULLEN. My reason for asking with regard to smuggling is this: I am satisfied, from what I have heard, that a good deal of smuggling is going on between Buffalo and Detroit and other points in Canada, and large quantities of goods are being received into this country. That is because goods are cheaper in many lines in the United States than they are here. This accounts for the fact that so many goods are sent in here, and there are more goods being received from the United States which have been smuggled over than for many years past, simply because the goods there are cheaper, notwithstanding the statements of hon. gentlemen opposite that goods would be low in Canada under the operation of the National Policy. Prior to 1878, the duty of preventing smuggled goods being taken across the boundary fell largely on the Americans, simply because the goods were higher there than here. But the tide has turned, times have changed, and smuggled goods are being sold here to a larger extent than ever before. I have heard this from those who live in the border towns and who know whereof they speak, to some extent.

Mr. PATERSON (Brant). Will the hon. Minister give the Committee the information which he promised the other day, with regard to the special detective force; how many there are, their salaries, and how much their salaries have been supplemented by their share of fines during the past year?

Mr. BOWELL. The hon. gentleman has asked for a little more information than the hon. member for South Oxford (Sir Richard Cartwright) desired the other night. The hon. member for Brant (Mr. Paterson) at the same time asked if I would give the names, and I said no. I desire, however, to say before reading the information asked for by the hon. member for South Oxford, a word with regard to the remarks made by the hon. member for Halifax (Mr. Jones). I was strongly reminded of an observation made by the Minister of Finance some years ago. When he was endeavoring to save some half million on the running and managing of the Intercolonial Railway. He said he found it much more difficult to secure the approbation of the House for the reduction of the expenditure by \$500,000 than for an increase of \$1,000,000. I think we have had a very fair illustration of that principle to day. I have endeavored since I have been in the Department, with a view to its efficiency, to keep down the number of officials as much as possible. With regard to Halifax, I have had repeated applications from the junior member for that city, with reference to every official in Halifax. In fact, ever since he has been here he has been one of the ghosts who have been haunting me, in order to raise the salaries of the officials of that port. Howsoever these hon. gentlemen may disagree about the West India trade, or the subsidies to steamships, they agree upon one thing—to get as much money as possible out of the Treasury, in order to pay the officials of the city of Halifax.

Mr. JONES. I did not ask any for Halifax.

Mr. BOWELL. Well, the hon. gentleman has a peculiar way of putting a question and then declaring that he never said so and so. He drew a distinction between the expense in different ports of the Dominion, and pointed out that Halifax did not get her share.

Mr. JONES. No, not that Halifax did not get enough, but that the others got too much.

Mr. BOWELL. The hon. gentleman did not say so.

Mr. JONES. That was the whole tone of my remarks.

Mr. BOWELL. The hon. gentleman should have said so, but he did not. I will say, however, for Halifax that whilst there are a great many difficulties which present themselves in enforcing the laws in the different ports of the Dominion,

I think as a whole, considering the importance of that port, we have had less difficulty with Halifax than with any other port in the Dominion; and as I have said before—and I have no hesitation in repeating it now—the merchants of that city are men as honorable as any with whom I have come in contact in the administration of the law.

Mr. MILLS (Bothwell). Which means that they are all rascals, according to the hon. gentleman's reasoning.

Mr. BOWELL. If that is the hon. gentleman's opinion of them, they can accept it if they please.

Mr. MILLS (Bothwell). I am adopting the hon. gentleman's reasoning towards the hon. member for Halifax. I am drawing the inference.

Mr. BOWELL. The hon. gentleman is too philosophical and metaphysical for me. I admit that I was not brought up in that particular school, and I yield the palm to him, as I yield the palm to the senior member for Halifax, in desiring that these positions should be occupied by men of more aristocratic minds and more aristocratic bearing. My own experience is that a man can be a gentleman, no matter how humble he may have been; the man who acts the part of a gentleman, in his intercourse with those with whom he comes in contact, is better than those who simply put on airs, and wear such stiff collars that they can never look around them. With regard to Mr. Garrison, the hon. gentleman made one insinuation which I think he might just as well not have made. He intimates that there was a certain reason, or that there might be a certain reason—of course he put it in that parliamentary style, so that you could not put your finger upon him; like a certain class who put a finger on the flea but it wasn't there—he has studied that particular kind of argument, I think—he intimated that there was some reason why Mr. Garrison was selected—some reason which was not on the surface, and that other people didn't see. I understood the hon. gentleman—

Sir RICHARD CARTWRIGHT. What was the reason?

Mr. BOWELL. I have no doubt the hon. member for Halifax (Mr. Jones), will tell you, but if he says he does not know what he means himself I can't tell him. For my own part, I repudiate any such insinuation. After my eight years of administration of a Department, no man can lay it to my charge that I have ever allowed either creed or nationality to interfere with the discharge of my duties, and having said that much I desire to say no more. If the hon. gentleman wants evidence on that statement, he can get it from the highest class of officials, from persons in the highest positions, both in church and state. Mr. Garrison is a young gentleman with whom I have come in contact many times. He is represented to me as one of the best clerks at the port of Halifax. I have the inspector's report in which they pick him out as the best man on the whole staff for the position of surveyor. When recommendations were made to me, it was that when promotions took place, Mr. Morris, a gentleman whom I do not know very well, though I have met him occasionally, should be made chief clerk, Mr. O'Brien cashier, and that Mr. Garrison should take the place of surveyor, he being the best fitted for that position. When my inspectors make this report, and when the collector, who is a Liberal—who belongs to the Liberal party, and was appointed by my hon. friends opposite—represent to me that this man is one of the best clerks he has, and the best fitted for the position, I think if I carried out their suggestions I would not be doing very wrong. It is true that Mr. Garrison failed in one of the subjects before the board, and, consequently, could not receive the appointment. He is now acting surveyor, and if he continues to pursue the course he is now pursuing, continues to prove that he is fit for the

position and able to control the officers under him, continues to act the part of a gentleman to merchants and others whom he meets with in business, nothing will give me greater pleasure than to carry out the recommendations made to me by the inspectors and by the collector, and confirm him in his position. I should dislike very much to lay down the principle, particularly in a country like Canada where some of our best men have risen from the lowest positions in every line of business, commencing at the bottom and going up to the top, I should dislike to lay down the principle that because a man was a printer's devil once he is not able to conduct a newspaper, or to reach any position to which he may aspire; that because a young man goes into the Department and commences at the foot of the ladder he should not rise to the top; or that because a man had once assisted a gauger he is not fit for a collector. In my own experience in my Department there are young men who commenced at \$300 a year, and I propose, in the Supplementary Estimates which are now before the House, to give them the highest salary I can give them under the Civil Service Act, simply because they have worked from the bottom to the top and are now the best officers we have; and it is a matter of no consequence to this House or the country whether or not those young men carried coal scuttles when they began their career. With regard to this question of seizures which has been commented on a great deal in the newspapers, I desire to say to the hon. member for Halifax (Mr. Jones), that those officials have no power to compromise or settle any seizure. They can, under the law, make a seizure; they can say to the man, the law provides for such and such arrangements, and if you like to comply with them and make deposit I will make a report to the Department for approval, and if it is approved that is an end of it, but if not you will have to submit to whatever the decision may be. If, on the contrary, the deposit is not enough you will have to pay more, but if they should reduce the amount, the proper proportion will be paid back to you.

An hon. MEMBER. What proportion do they get?

Mr. BOWELL. That depends on circumstances. By a regulation on the Statute-book, and acted upon while hon. gentlemen were in power, there is a distribution of one-third to the seizing officer and one-third to the informer. Then there is a special provision that, if extraordinary exertions are made or special ability displayed, beyond the ordinary, it is in the discretion of the Minister to give the seizing officer the whole two-thirds. The hon. member for South Oxford (Sir Richard Cartwright) asked me the number of seizures and the amounts paid to the officers, and in reply I may state that the number of seizures for the year ending 30th June, 1884, was 692; 1885, 741; 1886, 775. The amount deposited to the credit of the Receiver General on account of seizures in 1884, was \$110,758.73; in 1885, \$127,046.76; and in 1886, \$222,029.71. These sums represent the gross deposits, and not the net sums realised from the seizures, because in some cases upon investigation the whole or part of the amount is remitted, in other cases the whole amount, less the expenses, is remitted. The number of seizures reported by the special agents was, in 1884, 66; in 1885, 64; and in 1886, 147.

Mr. JONES. Does the hon. gentleman remember whether the fine imposed on Dennis Smith, of Halifax county, was returned?

Mr. BOWELL. I think not.

Mr. JONES. The hon. gentleman in the course of his remarks the other night said that the present system of testing sugar was giving very general satisfaction. So far as the accuracy of the test is concerned, merchants have no cause of complaint, but the hon. gentleman was not quite right in saying that the system of sending samples to

Ottawa to be tested was satisfactory to them. The time lost in sending our samples to Ottawa is sometimes very considerable. This was notably the case last year, during the interruption to traffic on the Intercolonial Railway, when we were a fortnight or three weeks without any communication, and during all that time our samples of sugar were on the road, and the sugars from which the samples were taken were on the wharves at Halifax, because under the Customs regulations they are not allowed to be removed until the result of the test comes from Ottawa, so that if there is any dispute as to the test the sugar can be re-sampled. The hon. gentleman is aware that in the United States, sugars are tested at all the large ports of entry. I think the merchants of Halifax were dissatisfied on this ground. They were afraid, in view of irregularities at other ports, notably at Montreal, that possibly some such irregularities might occur again, and, therefore, they were disposed to put up with the inconvenience of sending their sugar to Ottawa to be tested, rather than incur the danger of having those irregularities occur under the new system.

Mr. BOWELL. The hon. gentleman is strictly correct in reference to the detention of the sugar on the wharves, for a week or two, not through the action of the Department, however, but through the action of the collector. Instructions were given that as soon as the samples were sent and the deposits made, the merchants should be allowed to take possession of their sugar, and I am informed that they now receive their sugar subject to the test made in Ottawa. I admit that there was a detention, but the telegraph was used to enable the merchants to take their sugar out. If my recollection is right, when this matter was brought under my notice, I said there was no necessity for keeping the sugar, because three samples are taken at the same time—one to be kept by the importer, one by the collector at Halifax, one to be sent to Ottawa; and if there is any dispute as to the accuracy of the test it is re-tested from the other samples.

Mr. JONES. The testing is satisfactory.

Mr. BOWELL. I am very glad to hear that. Even the merchants of Halifax, I am quite sure, would not like to revert to the old system.

Mr. JONES. No.

Mr. BOWELL. Although in the United States there are three or four ports where the sugars are tested, that is, Boston, New York, and I think Philadelphia and Baltimore, when you compare the 60,000,000 people, and the quantity of sugar they use, with our 5,000,000 people and the quantity of sugar we use, you will recognise the importance of having perfect uniformity.

Mr. JONES. I admit that.

Mr. PATERSON (Brant). The question of the hon. member for South Huron was not my question. My question was more definite, and was given to the Minister early in the Session. When the votes for the Department of Customs came up, I said that when we came to consider the question of the revenues, I would suggest that the Minister should state who are the special detectives he employs, the amount of salary they receive, though supplemented by their share of the seizures made during the year. I think it is a question I am entitled to have answered.

Mr. BOWELL. Of course you are, but I told you at the time that that portion of the question regarding the amount each one received I could not answer, and I stated why. If a detective receives the information that smuggling is taking place, we never ask him who his informant is, because if the detective acts on the information and makes a seizure, the net proceeds of which would be \$9,000, and we gave

Mr. JONES.

him \$6,000 out of that, he has to pay all the expenses attending the seizure, including a third to the informer. Although the \$6,000 would stand as a debit against him on the books, he would probably have given one-third of it to the informer, so the hon. gentleman will see that I cannot give him the information that he asks for. Mr. Wolff is at the head of that staff for the whole Dominion; Mr. O'Keefe occupies a similar position for the Maritime Provinces, and reports to Mr. Wolff; then there are others. If they want a man or a number of men to assist them, they take them out of the port nearest to where the seizure takes place, and employ them for the time being, and the expense of employing these men is deducted from the amount of the seizure.

Mr. PATERSON (Brant). It is not an answer for the hon. Minister to say that if he gives some of the money to the informer, he cannot tell what the amount was. I do not care what he gives to the informer, I want to know the gross amount he receives. He can give me that information, and I am entitled to have it. We pay this Mr. Wolff a salary of \$1,600 as well as expenses, which I see last year amounted to \$944.51, and among those expenses \$20 is charged as "expenses of informer," which the hon. gentleman says is paid out of the detective's share. I want to know if that officer has made \$10,000 in a year, over and above what he is paid in salary and expenses. If he is, I think the country ought to share with him. I think it is rather too much to give him, and that is the reason I want to know the gross amount that he is paid.

Mr. BOWELL. I cannot give the gross amount. There may possibly have been \$20 paid out of the contingent fund for information given to the Department, that Mr. Wolff or the detective knew nothing about. I go further than that. If Mr. Wolff or any other man, whether he be in the service or not, made \$20,000 out of seizures, the revenue profited to an almost equal extent, because if he made a seizure two-thirds went to him and one-third to the revenue, in addition to the duty. The question whether the system should be continued is a separate question altogether, and a fair subject for discussion if the House thinks that it ought to be discussed; but if the House decided to repeal the law we would have to give the Customs Department what the law gives the Customs authorities in the United States, a large sum to compensate men over and above their salaries for doing this kind of work. If the hon. gentleman will look at the evidence on this question given in the United States, he will find that, in reply to a number of questions put by Mr. Manning, nearly every answer shows that the repeal of the moiety system has been disadvantageous and ruinous to the revenue; and, notwithstanding the abolition of the system, \$150,000 is placed in an Act of Congress to compensate officers who make seizures.

Mr. PATERSON (Brant). A knowledge of the facts I have asked for would enable us to determine what is the best system. The hon. gentleman's whole argument proceeds on the assumption that an officer, in the receipt of \$1,600 a year and travelling expenses, will not discharge his duties efficiently, unless he is given the chance of making an additional amount by a more zealous discharge of his duty in the way of making seizures. We are entitled to know how much these officers have made in the course of the year. I do not want to go into an argument on the whole question. There are two sides to it, but at the same time, it seems to me that if we knew all the facts, we would find cases of hardship in which these officers, induced by the desire to participate in the seizures, have given a strained interpretation to the law.

Mr. GORDON. I would ask the Minister of Customs if the return of Chinese immigration has attracted his particular attention. The number of Chinese admitted into the

various parts of the Dominion during the last 15 months was 797. Of that number, 127 paid the duty, realising to the Department \$6,350; 227 were admitted on return certificates; 443 were admitted either as merchants, men of science, students or travellers, showing that of the entire tax of \$39,850, which should have been paid to the Government, the Treasury received but \$6,350. I simply wish to call the attention to this fact: that, while I do not for a moment insinuate that any fraud has been perpetrated by any officer of the Department, anyone living on the coast of British Columbia, would be impressed with the fact, on seeing this return, that some fraud has occurred. This may have occurred, as it did in the United States, where it was found utterly impossible to enforce the restriction without fraud being perpetrated by the Chinese immigrants who resorted to all sorts of schemes to deceive the Government officers. No doubt, similar devices were resorted to to deceive the officers of the Dominion. I ask the Minister to give his attention to this matter, as this is a large sum for the revenue of Canada to lose. If a merchant violates any of the Customs laws of Canada, he is supposed to make it good, and if any officer or the Chinese themselves have deceived any officer of the Customs of Canada, some investigation should be made, or the officer's attention drawn to the fact.

Mr. BOWELL. I can assure the hon. gentleman the point to which he has referred will receive the attention of the Department, and its officers will be instructed to guard against fraud. The hon. gentleman knows the difficulty of dealing with the Chinese, and the matter has not been, and will not be, overlooked.

Mr. McNEILL. There is a good deal of force in the observation of the hon. member for South Brant (Mr. Paterson). I cannot but think that the fact that the officers of the Department, or some of its officers, share the fines, has the effect of inducing them to view these matters with, perhaps, not as much leniency as they otherwise would. I had to bring under the notice of the Minister of Customs, this Session, a case of very great hardship. The correspondence, which I placed before the Department, shows very distinctly indeed, that the person who was fined had been acting in the strictest good faith. This fact was demonstrated in the correspondence, but it was impossible to have the fine remitted. I was not aware, at the time, that any of the officers of the Department shared in these fines, but I learned it afterwards, and it occurred to me that this custom might explain the fact that it was impossible to get the money refunded. It may be the system is the best one to adopt, but I agree with the hon. member for Brant, that it is a matter which should be most carefully looked into. It does seem a very strange thing if an officer of the Department, with a salary of \$1,600 a year, and whose duty it was to perform this work, at any rate, can obtain these fines, amounting to \$8,000 or \$9,000, or \$10,000 or \$20,000, for aught I know. I think this matter ought to be investigated.

Mr. HOLTON. Special mention has been made of the chief detective, Mr. Wolff, and the amount of plunder which he has handled in these seizures. I would say that, in the city of Montreal, it is generally believed that, as his share of the loot, Mr. Wolff has received, in the last three years, from \$35,000 to \$40,000; and it is also generally believed, among the mercantile classes, that a large proportion of this was simply blackmail.

Mr. BOWELL. I do not think the hon. gentleman should accuse any gentleman of blackmail, and I am surprised, knowing his general courteous demeanor, to hear him speaking of plunder and loot and blackmail. Let the courts decide that. With reference to the case referred to by my hon. friend from Bruce (Mr. McNeill), the letters prove that these goods were being sent into this country at

a much lower valuation than that in the United States, and the intimation of my hon. friend implies that the head of the Department would have given his decision in a different manner, but that he was acting with a view to put money into the pockets of his officers.

Mr. McNEILL. I would be the last person to imply anything of the kind with regard to the Minister of Customs, as I think he knows, but I consider it my duty to bring this matter before the House, as the correspondence distinctly shows that the man who was fined had been acting *bond fide* throughout the whole transaction.

Mr. HOLTON. Last Session I discussed this matter at length, and I stated that the system pursued was a system of blackmailing, and I adhere to that charge.

Collection of Revenues, Post Office.....\$2,945,870

Sir RICHARD CARTWRIGHT. I am certainly not going to review the whole administration of the post office, but I must call the attention of the House again to the fact that, when, to this amount of \$2,945,000, you add the expenses of the head office, the sum total amounts to \$3,160,000, and the deficit is becoming worse and worse every year. It must amount to something like a million of dollars by this time. I want to know from the Postmaster General, if he can give me information, what is the amount of the charge now paid to the Canadian Pacific Railway on its main line from Callander station, say, to British Columbia. I do not want the information from him as to the lines in Ontario or Quebec, but as to the amount paid on the main line from the point where it commenced. Can he give me that?

Mr. McLELAN. We are paying for railways in Manitoba and the North-West—

Sir RICHARD CARTWRIGHT. I do not want the information which is communicated in the Estimates which we have, of course. If the hon. gentleman cannot give me the information which I ask for now, perhaps he will let me have it the next time we meet. I want to know what is the sum paid on the main line of the Canadian Pacific Railway from Callander station, or some point close to that, to Port Moody.

Mr. McLELAN. I will get the information.

Sir RICHARD CARTWRIGHT. With the branches in Manitoba, of course.

Sir CHARLES TUPPER. It would really be from Montreal to Vancouver.

Sir RICHARD CARTWRIGHT. That would be reasonable enough, although I would prefer it along the original main line, if I could get it. The other increases, I see, are spread pretty equally all over, but I must call the attention of the Postmaster General to the very considerable inequality which appears to exist in regard to some of the city post offices. I will give him an illustration. I notice, for instance, that in London there are twenty-eight letter carriers required, and in Kingston only seven. London is larger than Kingston, I know, but it is not so much larger as to require twenty-eight letter carriers in proportion to seven for Kingston, and I notice that in the city of Quebec, which is considerably larger than London, about two and one-half times as large, twenty-one letter carriers are sufficient to perform the service for the twenty-eight that are required in the city of London. That seems *prima facie* to be a very gross inequality.

Mr. McLELAN. In some of the cities they have increased the number of deliveries during the day, and the deliveries in London are more frequent than they are in Kingston.

Sir RICHARD CARTWRIGHT. Here is Quebec with a population of 60,000, and London, I think, has a population of about 25,000.

Mr. CARLING. There is a population of 35,000 in London and the suburbs which are supplied with free delivery by the day—London south, London east and London west—and I am sure that the receipts in the London post office are very much larger than they are in Quebec.

Sir RICHARD CARTWRIGHT. That may possibly be, but even then that would show an enormous disproportion. In Kingston, if we were to include the suburbs in the same way, the population would range to about 20,000.

Mr. CARLING. I think the receipts in Kingston do not amount to \$20,000, while in London they are about \$50,000.

Sir RICHARD CARTWRIGHT. Even so, that would not account for having four times the number of carriers in London that we have in Kingston.

Mr. CARLING. London is a great railway centre. We have some six different roads running in there, and we have mails at all hours of the day.

Sir RICHARD CARTWRIGHT. I think the real reason which the hon. gentleman forgot to mention, is that London had the benefit of a Postmaster General all to itself, and that may account for the difference.

Mr. PATERSON (Brant). I think the Minister had a request from the publishers to allow periodicals to be mailed by them at a cent a pound, did he not?

Mr. McLELAN. Yes.

Mr. PATERSON (Brant). Would he please say whether it is his intention to agree to their request?

Mr. McLELAN. It is not proposed to make any change this Session.

Mr. PATERSON (Brant). I see that there was an estimate taken for a post office in Brantford in 1886-87, on the basis of a city post office. It is not being taken this year. I would ask the reason why Brantford has not a city post office?

Mr. McLELAN. In 1886 the salaries in Brantford amounted to \$7,060. The office is now run at a cost of \$4,600. As it was not necessary to incur an additional expense, I have dropped the item for the present year.

Mr. JONES. I desire to draw the attention of the Postmaster General to a memorial lately presented to his Department, very numerous signed by the merchants of Halifax and Montreal, respecting a mail subsidy to the White Cross Line of steamers, calling at Halifax for New York, bound to St. John's, Newfoundland. There is an arrangement made with the Allan Line for the conveyance of the mails, and it often happens that these steamers come in in the intermediate week, and the agents there, desiring to accommodate the public, have carted the mails at their own expense from the post office to the steamers, and have never been able to obtain any remuneration from the Department. It is said that the Government of Newfoundland do not give them any assistance either, and, consequently, as happened quite recently, when an accident occurred to the regular Allan boat, the mails lie over in Halifax for an indefinite time, because the agents have positively, and very properly, refused to do public work unless they had a fair remuneration. I think it would be in the public interest, not only of Halifax but of the whole country, that some arrangement should be made with that company, and such a moderate allowance made them as would compensate them for carrying the mails between these points, without interfering, of course, with the Allan boat which sometimes arrives at the same time.

Mr. McLELAN.

Mr. McLELAN. My attention was called to this yesterday, by a telegram addressed to both representatives from Halifax. I may say that when the junior member for Halifax spoke to me some time ago, I misunderstood him. I thought it was in reference to the line that is now subsidised, and I was not aware until last night what was really intended by the remarks made to me previously. I have not had an opportunity of looking into the matter yet.

Mr. JONES. There is another matter I wish to mention. It has been a frequent subject of complaint in respect to our postal arrangements, and I remember it was a subject of discussion in old times, that, under the system of compulsory prepayment of letters, when a letter happens to be short stamped, or when, as sometime happens, the stamps drop off, and some cases where they are not stamped at all, through negligence, these letters are sent to the dead letter office at Ottawa, instead of being forwarded, as is done in England, and the receiver made to pay double postage. I think that it is very desirable that some such system should be reverted to here. It has frequently happened that stamps have dropped off these letters, and they have been sent to Ottawa and detained for a long time, at great loss to the parties interested. I think it would be in the public interest if this regulation of the Department were changed. I am aware it is of long standing, I think it was brought in under the Administration of Mr. Mackenzie. I always took exception to it, and the result has proved, I think, that the exception was well taken.

Expense in connection with Dominion Lands.....\$178,505

Sir RICHARD CARTWRIGHT. I notice a very considerable increase in this, which was large enough already.

Mr. WHITE (Cardwell). In British Columbia, we have dispensed with the service of Mr. Trutch who, for some time, acted as agent, and Mr. Aikman, who was formerly classed as a clerk, is now agent at Westminster, and a member of the Land Board. For some years past the amount estimated has never filled the amount expended and the deputy thought it was better this year to put into the estimates what we intended to spend.

Sir RICHARD CARTWRIGHT. In addition to that very large charge of \$30,000 for extra clerks at the head office, which ought to go somewhere else than here, I see you want \$70,000 more for advertising and copying.

Mr. WHITE (Cardwell). The explanations I gave a moment ago will apply here. I have taken the sum of \$30,000, but it is because the advertising now is much heavier. We have now adopted the principle of giving timber limits by competition, of giving grazing lands by competition, in fact we give nothing of that kind but by competition, except the ordinary settlers' homesteads, and all this involves a considerable amount of advertising.

Sir RICHARD CARTWRIGHT. Although the colonisation companies are being wound up, the most of them, the office of Inspector of Colonisation Companies remains.

Mr. WHITE (Cardwell). It is necessary that the arrangements for winding up the colonisation companies should be completed, and I think that after they are completed, we shall be able to do the work through our homestead inspectors.

Committee rose and reported resolutions.

ADJOURNMENT—BUSINESS OF THE HOUSE.

Sir JOHN A. MACDONALD moved:

That when the House adjourns it stand adjourned until Monday, at one o'clock in the afternoon.

Motion agreed to.

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

Motion agreed to, and House adjourned at 6:10 p.m.

HOUSE OF COMMONS.

MONDAY, 20th June, 1887.

The SPEAKER took the Chair at One o'clock.

PRAYERS.

DIVORCE—RELIEF OF WM. ARTHUR LAVELL.

House resolved itself into Committee on Bill (No. 155) for the relief of William Arthur Lavell (from the Senate).—(Mr. Ferguson, Leeds and Grenville.)

Bill reported.

Mr. TAYLOR moved the third reading of the Bill.

Mr. O'BRIEN. I think this is a Bill the House ought not to allow to pass, as it is. It marks a step downward in our legislation on the subject of divorce. No one who has read the evidence can fail to come to the conclusion that the whole subject, as there dealt with, is one which should have induced the House to hesitate before adopting the Bill. I do not say that, in some respects, it is not on the same footing as other Bills with the same object, but, in many other respects, it is not. I do not propose to take up the time of the House, but, having read the evidence, I must enter my protest against the passage of the Bill, because, in my opinion, it is a step in a direction we should by every means avoid, that of making the marriage tie less secure and less inviolable than it has been made in the previous legislation of this country.

Motion agreed to, and Bill read the third time and passed on a division.

DIVORCE—RELIEF OF SUSAN ASH.

Mr. TAYLOR moved that the House resolve itself into Committee on Bill (No. 135) for the relief of Susan Ash (from the Senate).

Mr. McCARTHY. With regard to this Bill, I desire to draw the attention of the House to what appears to me to be a very extraordinary statement in the preamble. The House will have observed, perhaps, from the discussion that took place on the second reading, that the circumstances of this case are very peculiar. The petitioner, Susan Ash, who applies for relief here, was married, it appears, as a very young girl in 1863. She lived with her husband for seven weeks, and, on returning to his home at Kingston, she found his property had been sold, and he had given up house-keeping. She resided with him at his boarding place a little while, when, without rhyme or reason, she abandoned her home, and, from that time out, does not seem to have ever met her husband except on one occasion, when he came to see her and asked her to return. He went to the States, when, does not distinctly appear, beyond this fact that is stated in the decree of divorce, which he afterwards obtained in the States, that he had resided in the city of Boston, or some place in the State of Massachusetts, for five years before he obtained that decree. That is stated in the decree of divorce itself, and we are bound, in the absence of any evidence to the contrary, to give effect to that statement, and not to assume it is untrue that he obtained a divorce in 1874. He came back to this country, and married a young woman at Sterling, having first satisfied her parents that the divorce was valid and that he was competent to marry. He returned to his home in Massachusetts, and has continued to live there ever since with his second wife, by whom he has several children. Now, what I object to in this legislation is that, as it appears to me,

without sufficient evidence at all, contrary in point of fact, to what I understand to be the rule of law, it characterises the second marriage as an adulterous one, and, in point of fact, bastardizes the children. I am not prepared to say positively—and I do not think, upon the evidence, that this House is—that the divorce was a good divorce, and, therefore, I would not deny to Susan Ash the Bill which she seeks, that is, to be divorced in 1887 from this man. Her petition to have the Parliament of Canada, upon the material before it, declare that the divorce was null, that the second marriage was null, and that the intercourse since that is an adulterous intercourse, and that we should bastardize those children, as far as we can, does appear to me to be simply a monstrous proposition. It is said, I believe, why did not Mr. Manton appear, in answer to the notice that was given, and show the facts connected with the divorce and with his second marriage? I do not know why he did not appear. We are not dealing with his case, but simply with the circumstances and the facts before us, and every court ought to feel that it should not go further in an *ex parte* case than the evidence warrants. I agree in the law which has been laid down on each side of the House: first, that we ought to respect the right of the woman to come here and ask for such relief as she shows herself to be entitled to, and also that the change of her husband's domicile does not prevent her from coming to get relief from the marriage at the only place at which she could get it. I also agree that we are bound, in view of what is due to the comity of nations, to recognise the divorce pronounced in a foreign country, provided it is on the petition of a person domiciled in that country, and that no collusion is shown. There is no pretence of collusion here, and the only doubt is whether Manton, who was the petitioner there, was domiciled in the State of Massachusetts in such a way as to entitle him to apply for a divorce. The evidence on that point is very meagre; but are we to say that, because we have no evidence, the court had no jurisdiction? The court has recited in its decree that it appeared in evidence before it that Manton had had five years of residence in Massachusetts, and having been married, he returns, and has been living there ever since. Surely we cannot disregard that as to the intention of this person to change his domicile. Then, if this divorce was valid according to the English law as expounded in the House of Lords, we are bound to give effect to it, even though it were granted upon a ground which we are not bound to respect. Instead of doing that, we go out of our way to stigmatise the marriage as null, and the subsequent intercourse as adulterous, and to cast this stigma upon the children of this man by his second wife. If there were nothing to be considered but the relatives of this woman, who are still Canadians, the father of this woman, who thought this divorce was valid before he allowed his daughter to marry, we should be very careful in the course we take. I have given notice that in the Committee stage I will move to alter the preamble by asserting facts as they appear in the evidence, and by striking out that portion of the preamble to which I have referred as exceedingly objectionable.

Motion agreed to, and House resolved itself into Committee.

(In the Committee.)

On the preamble,

Mr. McCARTHY moved to strike out all after the words "sixty-eight" in the twelfth line of the preamble down to the word "that" in the nineteenth line, and to insert the following in lieu thereof:—

And it has been made to appear that on or about the said fourth day of September, the said Susan Ash became separated from and has ever since lived separate and apart from him, the said William Manton, and that the said William Manton, on or about the seventh day of April, in the year 1874, on his petition, obtained from the Supreme Judicial Court

of the Commonwealth of Massachusetts, holden at Boston, in the county of Suffolk, in said State, a decree of divorce from his said marriage with the said Susan Ash, on the ground of her desertion from him, whereas the said marriage between them was, or purported to be, dissolved or annulled; and further, that the said William Manton, on the third day of September, 1874, was intermarried with one Mary Ford Hatch, and he, the said William Manton and the said Mary Ford Hatch have ever since lived together as man and wife; and whereas doubts have arisen as to the validity of the said decree of divorce, and as to the right of the said Susan Ash to marry again; and whereas the said Susan Ash has, by her petition, set forth.

Mr. TUPPER (Pictou). It seems to me that the amendment, which is substantially the same as that which was proposed in the Standing Committee and rejected there by a large majority, brings up a very important question, because, under the words in that preamble, so amended, the House would be giving relief to a party who would not be entitled to it, because it proposes to grant a divorce, not on the ground of the adultery of her husband, but on the ground of the desertion by herself. To my mind, the evidence which was taken before the Senate shows that that desertion was never committed by her. The evidence denies distinctly that she deserted her husband, and I do not think the Parliament of Canada—certainly, no court in England—would grant a divorce for desertion, even if it existed. Now, the House is asked to take virtually a new departure, that is, to grant a divorce to Susan Ash in this case upon a ground which would not enable her to obtain a divorce in the Divorce Court in England. I think that is virtually the proposition before the House, as contained in the hon. gentleman's proposition. It is to disregard the charge upon which she has approached Parliament, that that second marriage of her husband was improper and illegal according to the laws of this country. I think that her position, under the argument which was addressed to the House by the Minister of Justice, and the evidence submitted, has been established; and I think, if that position is not sound, as my hon. friend suggests, there is no way by which she can obtain the redress which she seeks at the hands of this Parliament. In fact the only ground upon which she comes here is taken away. Without desiring to weary the House—and I understand that, at this time of the Session, and after the very elaborate argument which took place the other evening and in the Private Bills Committee, it would be highly improper to go over the question which has been raised by the hon. gentleman, and over the Bill itself—I may say that the hon. gentleman seeks to urge that this House is made aware to some extent, whether in a legal sense or not, that the court in Massachusetts proceeded in this matter, in granting the judgment of divorce, on proper grounds of jurisdiction, that it had jurisdiction over the case, and that it was a valid judgment. This is not a technical point, but I think it is a very proper point that we should look into the recital in this document, where facts are alleged which I believe the parties producing that judgment and relying upon it were bound to show outside of that judgment. They wished to put this in evidence and to show that that was a valid judgment. It may be said that before the document is produced, the burden of proof is upon the husband to show that the court pronouncing that judgment had jurisdiction. But if that position does not meet with the approval of the House, I would call attention to the fact that in the debate the other evening, according to the English cases produced here, the recital in that judgment in reference to jurisdiction is entirely insufficient. Residence for a longer period than five years in Massachusetts, according to the English cases, in the case of a man who had left England or Canada for ten years, would not enable a court in Massachusetts to pronounce judgment divorcing parties to an English marriage in a court of justice in England. I do not think a single authority can be found to controvert that proposition. Now, I will mention a case which I brought before

Mr. McCARTHY.

the Private Bills Committee, bearing upon this point—the case of Spicer and Spicer. It was tried only a few weeks ago in the Divorce Court in England, before Mr. Justice Butt. In that case there was an English marriage. The husband went to California and resided there three years. He sent for his wife and she came to him, and while she was in California he obtained a divorce in the court of that State. In England the court refused to recognise that judgment on the ground that though there was evidence of continued residence of both parties within the jurisdiction of the court in California, the strong evidence required to rebut the presumption that a national domicile is not taken away, had not been adduced.

Mr. DAVIES (P.E.I.) Where is that reported?

Mr. TUPPER. In the *Times* newspaper report, and I don't think it is yet published in the Law Reports. In reference to that strong presumption, in regard to which, in this case, we have not the slightest evidence to show that the national domicile had ever been changed, I would cite from Taylor on Evidence, who says:

“The presumption, too, against the acquisition of a new domicile will be stronger in the case of a person who is alleged to have gained such a domicile in a foreign land, than it would be were the domicile in a country where the party would not be a foreigner. For instance, the court would more readily decide that a Scotchman had acquired an English, or an Anglo-Indian domicile than a French one: for a man's acquisition of a domicile in a foreign country is obviously a most serious matter, since it not only renders the validity of his testamentary acts, and the disposition of his personal property, liable to be governed by foreign laws, but it is calculated to involve him in a conflict of national duties, and to subject him to the embarrassments of a divided allegiance.”

Now, in regard to that, there is not a particle of evidence in this case. I do not think that my hon. friend's position is a sound one, when he says that because this man did not choose to give in evidence what he might have given, we are to hesitate in passing an opinion upon the evidence before us. If this leniency is to be exercised in the case of this defendant, we will lay down the proposition that when a party who has appeared before a committee of this House, and it does not appear that his side of the case will be taken up, then every effort will be made to supply the evidence that he does not choose to supply. The judgment says that Manton has for five consecutive years next preceding the date of filing this Bill of Divorce in Massachusetts, resided in the city of Boston. That is the only evidence to show that he had acquired a domicile in the State of Massachusetts, and the English authorities say that is not sufficient, and if that is not sufficient, that judgment is not valid, and should not be recognised by this House.

Mr. MITCHELL. I would look at this matter in the light of the facts. This man Manton may or may not have acted in such a manner as to justify a suit for divorce. I do not care anything about that. They are separated. The man has gone to the States and has got married again, and whatever may be the grounds which may have justified Susan Ash in asking for a divorce before the man got married, surely there is no doubt that there is ground now, when he has got married in another country—whether legally or illegally, I care not. He has married again, and that is sufficient ground for this woman to come to this House and ask for a divorce. I understand the only difficulty is about the allegation in the preamble of the Bill. I quite concur with the remarks of the hon. gentleman whom I have in my eye, and they are following out the objections taken by the member for Prince Edward Island (Mr. Davies) and the hon. member for St. John (Mr. Weldon). I quite agree with them that while we are doing justice to Susan Ash, we ought not to do injustice to the issue of a subsequent marriage on the part of her former husband in the United States. I would suggest that we make the

allegation in the preamble read to the effect that the former husband has since got married in the United States, which is the fact. It appears to me that if this were done there could be no objection to passing this Bill, and allowing this woman to get another husband if she wants to.

Mr. TUPPER. On what ground will that grant a relief to Susan Ash?

Mr. MITCHELL. On the ground that the husband has got married in another country. That is sufficient ground.

Mr. MILLS (Bothwell). The hon. member for Pictou (Mr. Tupper) has intimated that if we state the grounds truly we put ourselves out of court in regard to this matter. The hon. gentleman cannot successfully deny that Mr. Manton has obtained a divorce in the courts of Massachusetts.

Mr. TUPPER. Which is not a divorce here.

Mr. MILLS. I dissent from that opinion. According to the recent decisions in England, if he is domiciled in Massachusetts, there can be no question that the divorce granted by the courts of Massachusetts is legal.

Mr. WELDON (Albert). What case supports that proposition?

Mr. MILLS (Bothwell). The case of Shaw against the Attorney General. There the divorce was not allowed because the court thought there was no evidence that a domicile had been acquired in the United States by the party who had applied for a divorce. But the court admitted that if a foreign domicile had been acquired, and that fact had been established, there was no doubt that a divorce granted by the court where that fact was established, would be good in the United Kingdom. That is exactly the rule we would apply here. But the hon. gentleman asks us to assume that a foreign domicile is required in any foreign country before it can be admitted that a divorce granted by the court of that country would be a good divorce. But by the law of Massachusetts, a person must not only have intended to acquire a domicile within the State of Massachusetts, but must have been in actual residence in the State for five years before the application can be granted. Now, it is declared in the statement we have before us that this party had resided the five years in Massachusetts required by the law of the State. When the hon. gentleman says that if you admit these facts, then this woman has no right to come here and apply for a divorce, I do not agree with him. The husband Manton has, under the law of Massachusetts, obtained a divorce, and all she wishes is such declaratory legislation here as to show that she is entitled to marry again. That is her position. If hon. gentlemen think that is not, according to the rule and policy hitherto prevailing in this country, sufficient to entitle her to a divorce, then it may be sufficient reason to vote against the Bill; but that is no reason for making a false declaration in the preamble. The hon. gentleman asks to give this House jurisdiction, in what way? By making the declarations cover the facts so as to bring the application within the rule that has hitherto obtained. So far as this applicant is concerned the burthen of proof is upon her. The moment the House becomes seized of the fact, and it is seized of the fact by her declaration that the court of Massachusetts did take action and grant a decree, it was upon her to show that that decree was not a valid decree, that the laws of Massachusetts have not been observed, or that the party had not acquired a domicile there, and, not having acquired a domicile, then this decree was not a valid decree. I say that the burthen of proof is upon her and not upon Manton. He is not before us, he has had no reason to come here; he is a resident of another country, he is domiciled elsewhere, and, according to the laws of the country, he has obtained a divorce which recent decisions make good and binding in this country. Whether it is so or not, the moment that fact

became known to this House or the Senate, then the burthen of proof was thrown on the woman, not merely to show that she had been deserted, and that he was living with another woman, but that the divorce obtained there was not such a divorce as was binding under our law, under which recent judgments have been given. The hon. gentleman has referred to the judgment of Mr. Justice Brett, in the case of Spicer vs. Spicer, but the point was that the party had failed to prove a domicile. The principle was conceded, as it was in the case of Shaw vs. the Attorney General; the question was purely one of evidence, and the court said that the party having failed to establish the fact that a foreign domicile had been acquired, the court could not interfere with the divorce.

Mr. WELDON (Albert). I shall follow the good example set by other hon. gentlemen who have spoken, and speak very briefly. With respect to the case cited by the hon. member for Bothwell (Mr. Mills), I judge, if I read the case rightly, that the hon. gentleman has entirely misconceived, or forgotten, the position taken in that matter. In the committee this point was made: that under the English law there is, down to this hour, not one case in which the dissolution by a foreign court, although of competent jurisdiction, of an English marriage, had been recognised by an English court. The hon. member for Bothwell (Mr. Mills) has expressed a contrary opinion, although the facts do not support him. I will read the opinion given on that point in the case of Shaw vs. the Attorney General:

"The principles upon which the question here raised must be decided had been so recently discussed in several cases in the Court of Ultimate Appeal, that it is not necessary to enter upon the discussion at large upon the present occasion. It may be sufficient to observe, first, that Lolley's case has never been overruled; secondly, that in no case has a foreign divorce been held to invalidate an English marriage between English subjects, where the parties were not domiciled in the country by whose tribunals the divorce was granted."

Mr. MILLS (Bothwell). Hear, hear.

Mr. WELDON (Albert). I agree with the hon. gentleman so far.

"Whether, if so domiciled, the English courts would recognise and act upon such a divorce appears to be a question not wholly free from doubt."

The hon. member for Bothwell (Mr. Mills) said it was free from doubt; but it appears that this question is still unsettled. The case of Harvey vs. Farnie goes further to support the position. I dissent altogether from the position taken by the hon. member for North Simcoe, that it is clearly the rule of English law that a court of competent jurisdiction, when the petitioner is domiciled within foreign jurisdiction, has power to dissolve an English marriage. With respect to the *ad misericordiam* appeal, which is not a very good ground for argument that we are called on to bastardize the issue, to declare that the man who thought he was making a good second marriage is living in adultery, I would say this: In the case of Spicer and Spicer, referred to by the hon. member for Pictou (Mr. Tupper), an English court declared that an English subject, whose marriage had been dissolved by a court of competent jurisdiction in California where his wife had been living, and who had made a second marriage, had been living in adultery and bastardized the children of that marriage. If we decide this principle to-day, that a foreign court is competent to dissolve an English marriage, we are going a considerable distance ahead of any position yet taken by any English court. I do not say it is a false position. The position was stated with force and accuracy by the Minister of Justice, who pointed out that no judicial decision is in favor of it. The fact is that there is uncertainty as to the domicile, and that the domicile is not made out, as it is very difficult to make out, for the presumption of law is strongly in favor of the domicile of origin as against the domicile of choice, and under the law we are

bound to do justice to all parties and not lay down a dangerous rule of law and hold that the second marriage was bad, but that the facts of the petition are substantially correct. I think the vote taken on the second reading and in the committee is a safe vote, because it is not asking the House to lay down a new and dangerous rule of law.

Mr. McCARTHY. The question in this case appears to be as to the domicile of Manton. The petitioner has not thought fit to give the committee a tittle of evidence upon that point, and we are asked to draw a presumption on a rule of law which I do not understand is generally admitted; but the burthen of proof rests upon her and she is bound to satisfy all reasonable doubts on the question of Manton's domicile. I would rather say that when the court of another country has pronounced a divorce, we, according to the comity of nations, are bound to give such credence to that decree as to assume that the petitioner was domiciled, and was a resident of that country in which the decree was granted. In opposition to the presumption there is this fact, which the committee should not forget, that this man has lived in Massachusetts for eleven years since the divorce. He came to marry in Canada, but he immediately returned and has resided there since. Where do you gather his intention to change his domicile? If living in the United States fifteen or sixteen years is not evidence as to domicile, I do not know where you will get evidence. I agree that we ought not to refuse this woman the divorce, but give her an opportunity to marry again; at the same time we do not want to do injustice to others in doing justice to her. I move the following amendment:—

And whereas, except from the allegation to that effect in the said decree of divorce, there is no evidence that the said William Manton, at the time he petitioned for the said divorce, had become a resident of the said State.

Mr. DAVIES. I quite concur with the hon. member for North Simcoe (Mr. McCarthy) on this question; but I would suggest that the hon. member has gone too far. I would not say there is no evidence to justify it, but I would say there is not sufficient evidence.

Mr. McCARTHY. I do not find any.

Mr. DAVIES. After she deserted him he went to Boston and lived there five years.

Mr. McCARTHY. I did not know of that.

Mr. THOMPSON. As I said the other evening, the principles connected with this matter are so important, and are so apt to be cited hereafter as precedents, that I venture to trouble the House with a few further remarks on the subject. First: I desire to express my entire concurrence with the remarks which have been made by the hon. member for Picton (Mr. Tupper) and the hon. member for Albert (Mr. Weldon). This Bill is opposed by two sections of opinion, one of which is opposed to all divorce, and one section which is anxious to give effect to foreign divorce, without fully considering what that may lead to. I do not say that by way of reproach, but only for the purpose of guarding against what might be a lax consideration of a foreign decree of divorce. The hon. member for Simcoe (Mr. McCarthy) says we are bound to give effect to the recital of the decree of Massachusetts, by which it is declared that this man had a domicile in the State of Massachusetts.

Mr. McCARTHY. I beg the hon. gentleman's pardon. I do not mean to lay that down as a proposition, but I said in the absence of any evidence to the contrary.

Mr. THOMPSON. I am taking it purely as a proposition of law, and I say that I entirely disagree with the hon. gentleman, and for these reasons: The decree of the court in Massachusetts has no effect, no vitality, no validity at all, **Mr. WELDON (Albert).**

nothing it says or does is of any force until it is established in some way that that court has jurisdiction. That is admitted on both sides, and yet my hon. friends who differ from me say that we are to take the mere assertion of that court itself that it has jurisdiction. Now, I say that is entirely repugnant to the principle that the decree of any foreign country requires jurisdiction in order to give it effect and validity. If that were so, the decree of any court in the United States, with reference to a divorce or any other subject, would only have to allege that the court had jurisdiction in order to bind this Parliament or the courts. But the hon. member for Simcoe (Mr. McCarthy) and the hon. member for Bothwell (Mr. Mills) say that the burden of proof was on the woman who is seeking a divorce here. I say that the burden of proof was on her to establish the only allegation on which this Parliament has ever shown a willingness to grant a divorce—to show that her husband committed adultery, and that she has established, when she showed that he contracted a second marriage during her lifetime; and on a plain principle of law, it is necessary for a person who relies on a foreign jurisdiction to excuse any act he has done, to prove that jurisdiction existed in the tribunal that purported to excuse it. There is a broad distinction in all cases between the regularity of a foreign decree, and the jurisdiction of a foreign court. There is a presumption in favor of the regularity of the proceedings of a foreign court, but the burden of proof has always been held to be upon him who sets up the decree as an excuse for anything, whether it be for a crime or for a mere trespass. Now, I say that the recital in this case is one which will be believed and credited by the courts, but only as a statement of the regularity of the proceedings of the tribunal, as a compliance with the law of the State of Massachusetts, but not as an assertion upon which to found jurisdiction. Now, as regards the disposition which is shown to be lenient with the defendant, the husband, I have only to say that I think he does not stand in a position to claim any sympathy from this Parliament. He is a person who, having married in Canada, left his wife here without support, and not at all on account of the circumstance that she deserted his house, or because there was a want of sympathy or of friendship between them, but on the distinct evidence that is here given from herself, and uncontradicted, that his habits were such that she could not live with him. It may be an insufficient reason on her part, but it did not justify him in going to Boston and getting a divorce which allows him to marry again, but does not allow her to marry again. It is not a fact that we are bastardizing the issue; we are simply asked to do what every tribunal does, and that is, pronounce on the evidence before us. There is the evidence; there is the second marriage; there is no evidence to justify this second marriage, and the House is, therefore, asked to pass a Bill on the ground that the second marriage was bigamous. In any other proceeding, judicial or otherwise, the court would be entirely open to proof, as to the validity of the foreign decree, and consequently as to the legitimacy of the children. Of course, there should be a natural desire not to use harsh expressions in the recital of the Bill, or to say that the second marriage was bigamous or adulterous; but against that there is the danger of putting on the Statute-book a precedent for granting a divorce for something less than adultery, as declared on the face of the Bill itself. To my mind the amendment of the hon. member for Simcoe is much less objectionable, since he has made it recite the reason why the doubts have arisen, and puts the whole doubt fairly on the face of the Bill. Still, against that relaxation, there is the danger, as I said before, of establishing a precedent which will make it appear hereafter that we are giving a divorce for something less than what we believe to be adultery.

Mr. McCARTHY. Surely, we are not doing anything of the kind. It is saying, as the hon. member for Northumberland (Mr. Mitchell) said, that if such a divorce is a good one, all that can be said is that the woman should not come here; but that if the divorce is not valid, then her husband is living in adultery, and we have the right to grant her relief. We are not, therefore, creating a dangerous precedent, but we are merely settling doubts which have arisen in the minds of this woman and her advisers, not at all affecting the decree in the United States, but saying in effect that if it is a good decree, it is unnecessary for her to come here, but that if it is a bad decree, the man has committed adultery and she is entitled to relief.

Mr. DAVIES (P. E. I.) In the course of this debate, one statement was made by the hon. member for Pictou (Mr. Tupper)—and, I think, rather endorsed by the Minister of Justice—which I cannot allow to go unchallenged, to the effect that the evidence showed that this man had deserted the wife, rather than she deserted him, but I fail to see on what evidence he based that statement. Here is the evidence, which was the sole evidence given on that point—on page 5, of the return of evidence:

“By Mr. Vidal:

“Q. When you left him the second time, and went to your father’s to remain, did he consent to your going, or did he wish you to remain with him? A. He did not consent to my going; I came away.

“Q. Did he wish you to remain with him? A. He did not know that I was going.

“By the Chairman:

“Q. You left him without his knowledge or consent a second time? A. Yes.”

What does that prove? It proves beyond the shadow of a doubt that she left him.

Mr. THOMPSON. My hon. friend can prove almost anything by taking only a portion of the evidence.

Mr. DAVIES (P. E. I.) If there is any other part of the evidence bearing on that point, I should like to see it.

Mr. THOMPSON. I called attention to the evidence she gave as to his habits—that he was a man with whom she could not live. I admitted that that might not excuse her, but it certainly afforded no excuse to him for getting a divorce, after acting in that way.

Mr. DAVIES (P. E. I.) The only thing I gather is that the man was addicted to drink, but he never beat her, or used violence of any kind, and when she left him—

Mr. TUPPER. He was cruel to her, she says.

Mr. DAVIES (P. E. I.) My hon. friend will not lay down as a proposition that because a wife conceives her husband to be cruel, declining at the same time to say in what respect he is cruel—

Mr. McCARTHY. She explains the cruelty afterwards—want of sympathy with her youth.

Mr. DAVIES (P. E. I.) I went into all these matters before, and I do not intend to trouble the committee with them again. But I want to reply to the argument advanced by the Minister of Justice, that the burden of proof rests on the husband. I think some members of the committee are under a wrong impression, from the remarks of the hon. gentleman. We must remember that the decree of divorce was not put in evidence by the respondent; it was put in by Susan Ash, and on its face it was legal, showing that the Massachusetts court had jurisdiction, and that the husband had obtained a divorce from her. She did not impeach that decree on any ground that could invalidate it, either that he was not legally domiciled, or that the decree was obtained by fraud or collusion. Having put in that decree and not invalidated it, she cannot

be heard now to plead that it should be ignored. The committee ought to understand the position we are standing in. No one is opposing what this woman seeks; no one opposes her getting a divorce; all we are asking is that when we are granting the divorce we should not be called on to declare on the face of the Bill, that which many lawyers in this House conceive to be contrary to the decisions of the highest courts of the realm, that this man is living in a state of adultery, and that the children of his marriage are bastards. Let this woman have her divorce, and let the divorce obtained in the United States have its legal effect. I shall cheerfully support the amendment of the hon. member for Simcoe (Mr. McCarthy), but should it not be carried, I cannot agree to a Bill that contains a statement contrary to the facts put in the evidence.

Mr. TUPPER. The hon. gentleman challenges the statements of this woman in evidence, that her husband used abusive language towards her when under the influence of liquor, and that he was under the influence of liquor all the time, which I think is some justification for her having left him and gone home to her father.

Mr. MILLS (Bothwell). There is no evidence of that at all.

Mr. TUPPER. Let me then read the evidence:

“By Mr. McInnes:

“Q. Was he quarrelsome or abusive in his manners and language when under the influence of liquor? A. Yes.

“Q. How often was he under the influence of liquor? A. All the time.”

Let my hon. friend show me any evidence that contradicts that.

Amendment of Mr. McCarthy negatived: Yeas, 44; Nays, 58.

Bill reported.

Mr. TAYLOR moved the third reading of the Bill.

Mr. McCARTHY moved in amendment:

That the said Bill be not now read a third time, but that it be re-committed to a Committee of the Whole for the purpose of amending the same by striking out all after the words “sixty-eight” in the twelfth line of the preamble down to the word “that” in the nineteenth line, and inserting the following in lieu thereof: “and it has been made to appear that on or about the said fourth day of September, the said Susan Ash became separated from and has ever since lived separate and apart from him, the said William Manton; and that the said William Manton, on or about the seventh day of April, in the year one thousand eight hundred and seventy-four, on his petition, obtained from the Supreme Judicial Court of the Commonwealth of Massachusetts, holden at Boston, in the county of Suffolk, in said State, a decree of divorce from his said marriage with the said Susan Ash, on the ground of her desertion from him, whereby the said marriage between them was, or purported to be, dissolved or annulled; and whereas, except from the allegation to that effect in the said decree of divorce, there is no sufficient evidence that the said William Manton, at the time he petitioned for the said divorce, had become a resident of the said State; and further, that the said William Manton, on the third day of September, one thousand eight hundred and seventy-four, was intermarried with one Mary Ford Hatch, and he, the said William Manton, and the said Mary Ford Hatch have ever since lived together as man and wife; and whereas doubts have arisen as to the validity of the said decree of divorce, and as to the right of the said Susan Ash to marry again; and whereas the said Susan Ash has, by her petition, set forth.”

House divided on amendment of Mr. McCarthy:

YEAS:

Messieurs

Armstrong,
Bain (Wentworth),
Burdett,
Charlton,
Davies,
Denison,
Edwards,
Ellis,
Flynn,
Gillmor,
Jones,
Kirk,

Lang,
Lister,
Macdonald (Huron),
Mackenzie,
McCarthy,
McMillan (Huron),
McMullen,
McNeill,
Madill,
Mallory,
Mills (Bothwell),
Mitchell,

O'Brien,
Perry,
Platt,
Reid,
Robertson (King's, P. E. I.),
Robertson (Shelburne),
Scriver,
Sutherland,
Watson,
Welsh,
Wilson (Argent'l).—35.

NAYS :
Messieurs

Amyot,	Desjardins,	Parley (Ottawa),
Audet,	Doyon,	Pope,
Baker,	Dupont,	Porter,
Béchar,	Fiset,	Putnam,
Bergeron,	Gaudet,	Rinfret,
Bourassa,	Geoffrion,	Robertson (Hastings),
Bowell,	Gigault,	Roome,
Bowman,	Grandbois,	Ste. Marie,
Boyle,	Guay,	Semple,
Brien,	Hale,	Shakespeare,
Bryson,	Hall,	Shanly,
Burns,	Hesson,	Small,
Campbell (Kent),	Holton,	Sproule,
Cargill,	Joncas,	Taylor,
Carling,	Landry,	Trow,
Caron (Sir Adolphe),	Langelier (Montmagny),	Tupper (Sir Charles),
Casgrain,	Langevin (Sir Hector),	Tupper (Picton),
Chapleau,	Livingston,	Turcot,
Chisholm,	Lovitt,	Vanasse,
Choquette,	McCulla,	Wallace,
Colby,	McDonald (Victoria),	Ward,
Costigan,	McDougald (Picton),	Weldon (Albert),
Coughlin,	McDougall (C. Breton),	White (Cardwell),
Coulombe,	Mara,	Wilmot,
Couture,	Mills (Annapolis),	Wilson (Elgin),
Curran,	Montague,	Wilson (Lennox),
Davin,	Montplaisir,	Wood (Westmoreland),
Davis,	Patterson (Essex),	Wright.—85.
Desaulniers,		

Amendment negatived.

Mr. MITCHELL. When this Bill was up on Friday last I voted for the Bill, as it stands now. At the same time I felt that the argument advanced by the hon. member for P. E. I. (Mr. Davies), the hon. member for St. John (Mr. Weldon), and the similar argument advanced to-day by the hon. member for Simcoe (Mr. McCarthy), should have weight, and that a gross act of injustice was being done to the children of the second marriage. Under these circumstances, I shall feel bound, at the risk of being considered inconsistent now, to vote against the Bill, because its advocates have refused to do a common act of justice by rejecting the preamble and removing the charge of bastardy against the children of the second marriage.

House divided on motion for third reading :

YEAS :
Messieurs

Baker,	McDonald (Victoria),	Shanly,
Bowell,	McDougald (Picton),	Small,
Bowman,	McLellan,	Sproule,
Boyle,	McMillan (Huron),	Taylor,
Brien,	McNeill,	Temple,
Bryson,	Mara,	Trow,
Campbell (Kent),	Masson,	Tupper (Sir Charles),
Cargill,	Mills (Annapolis),	Tupper (Picton),
Carling,	Montague,	Tyrwhitt,
Carpenter,	Perley (Ottawa),	Wallace,
Davin,	Porter,	Ward,
Davis,	Purcell,	Watson,
Hale,	Putnam,	Weldon (Albert),
Hall,	Reid,	White (Cardwell),
Hesson,	Robertson (Hastings),	Wilmot,
Livingston,	Robertson (King's, P. E. I.),	Wilson (Elgin),
Lovitt,	Roome,	Wilson (Lennox),
Macdonald (Huron),	Semple,	Wood (Westland).—56.
McCulla,	Shakespeare,	

NAYS :
Messieurs

Amyst,	Davies,	Lister,
Armstrong,	Denison,	Mackenzie,
Audet,	Desaulniers,	McCarthy,
Bain (Soulanges),	Doyon,	McMullen,
Bain (Wentworth),	Dupont,	Madill,
Béchar,	Edwards,	Mallory,
Bergeron,	Eisenhauer,	Mills (Bothwell),
Bernier,	Ellis,	Mitchell,
Bourassa,	Fiset,	Montplaisir,
Burdett,	Flynn,	O'Brien,
Burns,	Gaudet,	Patterson (Essex),
Caron (Sir Adolphe),	Geoffrion,	Perry,
Chapleau,	Gigault,	Platt,

Mr. MCCARTHY.

Charlton,	Gillmor,	Pope,
Choquette,	Grandbois,	Rinfret,
Colby,	Joncas,	Turcot,
Costigan,	Jones,	Vanasse,
Coughlin,	Kirk,	Welsh,
Coulombe,	Lang,	Wilson (Argenteuil),
Couture,	Langevin (Sir Hector),	Wright.—61.
Curran,		

Motion negatived.

NOVA SCOTIA PERMANENT BUILDING SOCIETY.

House resolved itself into Committee on Bill (No. 131) respecting the Nova Scotia Permanent Benefit Building Society and Savings Fund (from the Senate).—(Mr. Tupper).

(In the Committee.)

Mr. MILLS. I would draw the attention of the Minister of Justice to this Bill. These parties are asking us to legislate on a question of civil rights, and this House should not entertain Bills of this class. I do not propose to oppose the Bill further.

Bill reported, and read the third time and passed.

IN COMMITTEE—THIRD READINGS.

Bill (No. 150) to incorporate the Royal Victoria Hospital (from the Senate).—(Mr. Curran.)

Bill (No. 151) for granting certain powers to the Canada Atlantic Steamship Company.—(Mr. Tupper.)

Bill (No. 143) to enable the Canada Permanent Loan and Savings Company to extend their business and for other purposes, was considered in Committee and reported.

DEEPENING THE CHANNEL OF THE ST. LAWRENCE.

Mr. POPE moved that, to-morrow, the House resolve itself into Committee of the Whole to consider the following resolution :—

That it is expedient to authorise the Governor in Council to advance to the Harbor Commissioners of Montreal the sum of three hundred and twenty-five thousand dollars, to enable them to complete the deepening of the River St. Lawrence at Cap à la Roche to 27½ feet, such sum to be raised and advanced in the same manner and subject to the same conditions as moneys have heretofore been raised and advanced to them for the deepening of the channel of the St. Lawrence at Montreal.

Motion agreed to.

SUBSIDIES TO RAILWAYS.

Mr. POPE moved that, to-morrow, the House resolve itself into Committee of the Whole to consider the following resolutions :—

1. That it is expedient to authorise the Governor in Council to grant the subsidies hereinafter mentioned to the Railway Companies and towards the construction of the Railways also hereinafter mentioned, that is to say :

To the St. Catharines and Niagara Central Railway Company, for twelve (12) miles of their railway from the City of St. Catharines to the bridge over the Niagara River, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$38,400.

To the Vaudreuil and Prescott Railway Company, for thirty (30) miles of their railway, from Vaudreuil towards Hawkebury, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$96,000.

To the Richmond Hill Junction Railway Company, for five (5) miles of their railway from Richmond Hill Junction on the Northern Railway of Canada to Richmond Hill Village, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$16,000.

To the Drummond County Railway Company, for thirty (30) miles of their railway, from Drummondville towards Nicolet, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$96,000.

To the Joggins Railway Company, for one and a quarter (1¼) miles of their railway extending from the southern end of the portion subsidised by 49 Victoria, chapter 10, to the wharves, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$4,000.

To the Moncton and Buctouche Railway Company, for two (2) miles of their railway from the west end of the portion subsidised by 49 Vic-

oria, chapter 10, to Moncton, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$64,400.

To the Beauharnois Junction Railway Company, for thirty (30) miles of their railway from St. Martin's towards St. Anicet, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$96,000.

To the Harvey Branch Railway Company, for three (3) miles of their railway from the southern terminus of the Albert Railway to Harvey Bank, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$9,600.

To the Brantford, Waterloo and Lake Erie Railway Company, for eighteen (18) miles of their railway, from the Town of Brantford to the Village of Hagarville or the Village of Waterford, or some intermediate point on the Canada Southern Railway, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$57,600.

To the Guelph Junction Railway Company, for sixteen (16) miles of their railway from its junction with the Canadian Pacific Railway to the Town of Guelph, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$51,200.

To the Massawippi Railway Company, for ten (10) miles of their Railway, from a point on the Atlantic and North-Western Railway, near the Village of Magog, to Ayer's Flat Station, on the Massawippi Valley Railway, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$32,000.

To the Napanee and Tamworth and Quebec Railway Company, for four (4) miles of their railway, from the north end of the section subsidized by 48-49 Victoria, chapter 59, to Tweed, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$12,800.

To the Arthabaska and Wolfe Railway Company, for seven (7) miles of their railway, from a point on the Quebec Central Railway, in the Township of Dudswell, to the Dominion Lime Company's quarries, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$22,400.

To the South Norfolk Railway Company, for seventeen (17) miles of their Railway, from Port Rowan to the Town of Simcoe, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$54,400.

To the Jacques Cartier Union Railway Company, for extending and completing their railway, a subsidy of \$20,000.

To the Teeswater and Inverhuron Railway Company, for twenty-four (24) miles of their railway, from Mount Forest to Walkerton, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$76,800.

To the Osbawa Railway and Navigation Company, for seven (7) miles of their railway, from Port Oshawa towards Raglan, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$22,400.

To the Chicoutimi and Lake St. John Railway Company, for thirty (30) miles of their railway, from Lake St. John towards Chicoutimi, or from Chicoutimi towards Lake St. John, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$96,000.

To the Great Eastern Railway Company, for thirty (30) miles of their Railway, from the River St. Francis to the Arthabaska Railway, at St. Grégoire Station, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$96,000.

To the Ontario and Pacific Railway Company, for six (6) miles of their railway, from the northern end of the portion subsidized by 47 Victoria, chapter 8, to the Town of Perth, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$19,200.

To the Caraqueet Railway Company, for seven (7) miles of their railway, from Lower Caraqueet to Shippegan, in lieu of the subsidy granted by 49 Victoria, chapter 10, a subsidy not exceeding in the whole, \$32,000.

To the St. Lawrence and Lower Laurentian Railway Company, for the section of their railway from Grand Piles, on the St. Maurice River, to its junction with the Quebec and Lake St. John Railway, in lieu of the subsidy granted by 48-49 Victoria, chapter 59, for a line of railway from Grand Piles, on the St. Maurice River, to its junction with the Lake St. John Railway—a distance of about fifty (50) miles, a subsidy of \$217,600.

To the St. John Valley and River du Loup Railway Company, for twenty-two (22) miles of their railway, from the Village of Prince William towards the Town of Woodstock, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$70,400.

To the Lake Témiscamingue Railway Company, for four (4) short sections of railway, in all about (1) miles in length, to overcome the rapids of the Ottawa River, known as "La Mi-Charge," "La Cave," "Les Erables," and "La Montagne," and for the construction of wharves and landing stages at these rapids, to connect the Canadian Pacific Railway at Mattawa with Lake Témiscamingue by steamboats, railways and other works (in lieu of a portion two miles in length, out of the eight (8) miles of railway subsidized by 48-49 Victoria, chapter 59, under which about six miles of railway have already been built from the foot of Long Sault proper to the foot of Lake Témiscamingue, and in lieu also of the subsidy granted by 49 Victoria, chapter 10), a subsidy of \$12,400.

To the Carillon and Grenville Railway Company, for twelve (12) miles of their railway from St. Eustache to Sault au Recollet, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$38,400.

To the Minudie Branch Railway Company, for five and a half (5½) miles of their railway, from its junction with the Joggins Railway, near the River Hebert Railway bridge, to the Village of Minudie, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$17,600.

To the Lake Témiscamingue Colonization and Railway Company, for ten and a half (10½) miles of their railway, from the Long Sault to Lake Kippewa, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$33,600.

To the Leamington and St. Clair Railway Company, for two (2) miles of their railway, from a point on the fourteen miles subsidized by 48-49

Victoria, chapter 59, between the Town of Chatham and Lake Erie, to the Village of Oomber, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$6,400.

To the Cumberland Railway and Coal Company, for fourteen (14) miles of their railway, from a point on the Spring Hill and Parrsboro' Railway, near Spring Hill, to a point on the railway between Oxford and New Glasgow, near Oxford Village, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$44,800.

To the Montreal and Champlain Junction Railway Company, a subsidy of \$64,000.

To the Quebec and Lake St. John Railway Company, for nine (9) miles of their railway, the distance in which the previous subsidies granted are short of covering, from the City of Quebec to Lake St. John, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$28,800.

To the Temiscouata Railway Company, for thirty (30) miles of a branch of their railway, from Edmundston towards the St. Francis River, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$96,000.

To the Cornwallis Valley Railway Company, for thirteen (13) miles of their railway, from Kentville to Kingsport, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$41,600.

To the Nova Scotia Central Railway Company, for thirty-four (34) miles of their railway, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$108,800.

To the Tobique Valley Railway Company, for fourteen (14) miles of their railway, from Perth Centre Station towards Plaister Rock Island, in lieu of the subsidy granted by 49 Victoria, chapter 10, for a railway from Perth Centre Station, on the New Brunswick Railway, to a point near Plaister Rock Island, a subsidy of \$89,600.

For a railway from Woodstock towards Centreville, twenty (20) miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$64,000.

For a railway bridge over the St. Lawrence River at Coteau Landing, on the line of the Canada Atlantic Railway, a subsidy of 15 per cent. on the value of the structure, not to exceed \$180,000.

To the Lake Erie, Essex and Detroit River Railway Company, for twenty-seven (27) miles of their railway, in lieu of the subsidy granted by the Act 49 Victoria, chapter 10, a subsidy not exceeding \$118,400.

2. That the subsidies hereinbefore mentioned as to be granted to companies named for that purpose, shall be granted to such companies respectively; that the other subsidies shall be granted to such companies as shall be approved by the Governor in Council as having established to his satisfaction their ability to construct and complete the said railways respectively. That all the lines for the construction of which subsidies are granted shall be commenced within two years from the first day of August next, and completed within a reasonable time not to exceed four years, to be fixed by Order in Council; and shall also be constructed according to descriptions and specifications and upon conditions to be approved by the Governor in Council, on the report of the Minister of Railways and Canals, and specified in an agreement to be made in each case by the Company with the Government, and which the Government is hereby empowered to make; that the location, also, of every such line of railway shall be subject to the approval of the Governor in Council; and that all the said subsidies respectively shall be payable out of the Consolidated Revenue Fund of Canada, by instalments, on the completion of each section of the railway of not less than ten miles, proportionate to the value of the portion so completed in comparison with that of the whole work undertaken, to be established by the report of the said Minister, or upon completion of the work subsidized, except as regards the subsidy for the bridge over the St. Lawrence River, upon which shall be paid fifteen per cent. of the value of work done on monthly progress estimates, certified by the Chief Engineer and upon the approval of the Minister of Railways and Canals.

3. Provided always, that the granting of such subsidies to the companies mentioned respectively shall be subject to such conditions for securing such running powers or traffic arrangements and other rights, as will afford all reasonable facilities and equal mileage rates to all railways connecting with those so subsidised, as the Governor in Council determines.

Motion agreed to.

THE COMPANIES ACT.

House resolved itself into Committee on Bill (No. 30) to amend the Companies Act.

(In the Committee.)

Mr. McCARTHY. I now propose the amendment of which I gave notice, which will be found in the Votes and Proceedings, page 174. It is to substitute a new clause for Nos. 98, 99 and 101, and the object of the change is to enable a company incorporated under this Act to amalgamate with another company, that is with a company incorporated by a special Act. This matter was brought up in the Committee on Banking and Commerce, but I had not the material with me at the time which I needed, and it stood over, and the Bill was reported without the amendments being

taken into consideration there. The No. 99 in the notice is a mistake, and should be 98.

Bill reported, and read the third time and passed.

CUSTOMS DUTIES BILL.

Sir CHARLES TUPPER moved the second reading of Bill (No. 107) to amend Chapter 33 of the Revised Statutes of Canada, respecting duties of Customs.

Motion agreed to; Bill read the second time and House resolved itself into Committee.

(In the Committee.)

On section 3,

Sir CHARLES TUPPER. I wish to amend item 72 on page 7, by adding after the words "one-quarter of an inch in diameter and over" the words "or not over two inches, for use exclusively in artesian wells, petroleum pipe lines, and for petroleum refineries."

On section 3,

Sir CHARLES TUPPER. In item 817, which reads "spruce and elm logs, \$1 per 1,000 feet, board measure," I wish to strike out the words "and elm," which leaves the law as it was before.

On section 6,

Mr. JONES. Does the hon. gentleman intend making any alterations in regard to the time of admission of goods under the old tariff?

Sir CHARLES TUPPER. No, I propose to leave the clause as it is. Representations have been made of the inconvenience of it, but no tariff can be changed without a certain amount of inconvenience, and I think we have gone as far in relieving it as it is possible to go. Of course, any very special case, like a contract made by a municipality for the introduction of waterworks, or anything of that kind, would be considered by the Government on its merits, but I do not think it is possible to provide by law for going any further than this clause goes.

Mr. JONES. It was not with a view of criticising that I rose, but merely to ascertain the fact, because there seems to be some uncertainty in regard to it, which I thought at this stage should be removed by an authoritative statement.

Sir CHARLES TUPPER. The hon. gentleman is quite right. It is important that everyone should understand that this clause is to admit the importation at the old rate of duty of all articles affected by this Bill that were purchased out of Canada or that were in warehouses in Canada on the 13th of May, when the tariff was introduced, and in British Columbia to allow goods purchased before the introduction of the tariff resolutions and imported *vid* Cape Horn to have the same privilege—in Canada, generally, to admit of their being imported and entered at the old rate of duty down to the 30th of June, and in British Columbia, down to the 1st of November.

Mr. MILLS (Bothwell). I have received a communication from some of the cap manufacturers of London, saying that they have made their purchases and also their sales, but that their goods will not arrive in this country at the time mentioned in the Bill, the result being that they will be subject to very serious loss. I cannot lay my hands on the communication at this moment, but I shall get it before the Bill is read the third time. Some of these gentlemen say that the tariff will affect them to the extent of wiping out all the profits on the sales they have made, and, in some cases, they will sustain loss.

Mr. BOWELL. I do not see how that occurs, for we have not touched the duty on hats and caps.

Mr. McCARTHY.

Mr. JONES. I think that the Government have gone far enough to meet the trade. If you extend the time any longer, the more complaints you will have. I think the first of July is a very fair time.

On the preamble,

Mr. MITCHELL. I presented to the Minister what the parties affected represent to be a case of peculiar hardship. Perhaps I can best explain the particulars of it by reading the letter I addressed to the hon. Minister of Finance, who very kindly lent it to me for that purpose just now:

"OTTAWA, 19th May, 1887.

"Sir CHARLES TUPPER, &c.,
"Minister of Finance.

"Sir,—I have the honor to call your attention to sub-section 2 of section 15 of the Petroleum Act of 1880, which reads as follows: 'All petroleum and naphtha, imported into Canada, shall be in packages containing not more than 50 gallons each,' and it has been represented to me that such requirement is hardship on the trade—increases the cost and deteriorates the quality of this article, without affording any compensatory benefit to the consumers. I would, therefore, respectfully request the Government to consider the matter, with a view to introduce legislation to amend this sub-section, so as to permit the importation of petroleum and naphtha in tank-cars, thereby granting the same facilities for the transportation of imported foreign oils as is now granted to Canadian oils, under section 9 of the same Act, which reads as follows: 'Petroleum may be removed in bulk, without inspection, from one refinery to another refinery, or other place, for the purpose of completing the process of manufacture, or placing it in packages, under a permit in that behalf, obtained from the proper officers, and subject to such departmental regulations as may be made respecting such removals.'

"I beg to offer for your consideration the following reasons why I think this request should receive your favorable consideration:

"1st. There will be to the importers a large saving in freight should they import in tank-cars, for, while a barrel full of oil weighs 400 lbs., the barrel itself weighs 65 lbs., or nearly $\frac{1}{6}$ of the whole; they could, therefore, transport in bulk $\frac{1}{6}$ more off for the same freight than they now pay transporting it in barrels.

"2nd. They now suffer great loss of oil in transit, both from leakage and breakage of the barrels, while bringing it from distant refineries in the United States, and in this case the Government loses in revenue, as the duty is paid not upon the American invoice, but upon the quantity of oil as found in barrels on arrival at destination.

"3rd. The quality of the oil deteriorates when kept for a long time in barrels; oil freshly barreled is of better quality, and as petroleum (coal oil) pays a duty amounting to over 100 per cent. *ad valorem*, importers cannot suffer a depreciation in quality, as it is the superior quality of the oil only, which enables them to sell it at the high price they are obliged to ask for it.

"4th. At present they are obliged to pay a duty of 40 cents on each barrel. This duty will be saved to the importer, if the oil is imported in bulk, and will assist them in paying the price per barrels made in Canada, which is necessarily higher than for barrels of American manufacture. Barrels may be purchased more cheaply in the United States than in Canada for the reason that the sub-section which I ask to be amended has necessitated the importation of all petroleum in barrels, thereby impeding the barrel industry in Canada to such an extent, that, though the country is peculiarly adapted to such an industry, I am not aware of a single factory in Canada where oil barrels are made. The importation of oil in bulk will necessitate the establishment of barrel factories here. It will be necessary to enact legislation only to the extent that sub-section 2 of section 15 of the Petroleum Inspection Act be made to read: "subject to section 9 of the same Act," as no other requirement of the Petroleum Act in any way conflicts with the importation of oil in bulk. I trust you will see your way to remedy the evil complained of.

"I have, &c.,
"P. MITCHELL."

What I desire is this: That the foreign petroleum business be placed exactly on the same footing, with regard to the manner of transport, as the petroleum industry in this country. In other words, while the present Act permits the local oil well proprietors to transport their oil in tanks, it prohibits all foreign importers from transporting foreign oil in tanks. As a very large quantity of foreign oil is used, both in factories and private houses, notwithstanding the question of cheapness and price, because of its superior quality, as the parties in the trade claim, as a matter of only common justice, that they should be permitted to have the same facilities for transporting it in the country as have the domestic oil proprietors, I see no reason why this should not be done. I got the answer from the Administration that I expected, namely, that they cannot make the change. Why, I know not; no reason has been given to me, nor can I see

any reason that can be given. I, therefore, take this opportunity of bringing this question before the Committee. I will read the section of the Petroleum Act :

"All petroleum and naphtha imported into Canada shall be in packages containing not more than fifty gallons each and shall be inspected, and the packages marked, as herein required, at the port where it enters Canada, and before such petroleum or naphtha is entered for consumption; and any petroleum so imported which does not conform to the requirements of this Act shall be branded with the word 'rejected,' and shall, within ten days after the inspection, be exported from Canada, and if not so exported within the prescribed time, it and the packages in which it is contained shall be seized and forfeited to Her Majesty and shall be disposed of under regulations made by the Governor in Council."

The 10th section reads thus, with reference to domestic petroleum :

"Petroleum may be removed in bulk without inspection from one refinery to another refinery, or other place, for the purpose of completing the process of manufacture or placing it in packages under a permit in that behalf, obtained from the proper officer and subject to such departmental regulations as are made respecting such removals."

I can see no reason why foreign petroleum, for the purpose of being moved in the country, should not be placed on the same footing as domestic petroleum. On the contrary, I see strong reasons why, in the interests of the National Policy, it should be placed on the same footing. The foreign oil comes into extensive use, although the people have to pay a higher price for it, in consequence of the heavy duty, and all I ask is that the Government should place it, with regard to transport, on the same footing as the domestic oil, so that the importers may be allowed to transport it in bulk. With regard to the prices, I ask for no consideration, but I claim that the Act makes the foreign oil more costly to the people, from the fact that it has to be put into barrels before being imported, while the domestic can be carried in tanks. It also prevents a large industry growing up in this country. If importers were allowed to bring in foreign oil in tanks, a large barrel industry would grow up, and a large number of men would be employed barrelling the oil, because it must be put up in barrels for retail and sale. This is a case of injustice against the people. Almost all classes of the community use the better class of oil, which is imported from the United States, to a greater or less extent, and I see no reason why, besides the addition of 100 per cent. duty, they should also be taxed another large percentage in the way of transport.

Sir CHARLES TUPPER. The hon. gentleman has stated his case very clearly, and I may say the question received the careful consideration of the Government. It is well known there is a very large and important industry in this country, the petroleum industry, and the hon. gentleman also knows that, owing to the great fall in price of the foreign article, the petroleum industry of this country has suffered very severely; and, as this is a measure that would tend to give a still greater advantage to the importation of the foreign article, it would, to that extent, injure the domestic industry. Those are the grounds upon which I do not feel warranted in bringing before the House the proposal to which the hon. gentleman has referred. The subject is one that, of course, will receive more consideration during the recess than it has been possible to give it, in the short time since it has been brought to my notice. The petroleum industry of Canada have also pressed very strongly on the Government the measures which they thought would give them greater advantages. The Government has not seen fit to comply with their proposals, but, on the other hand, they do not feel warranted in making a change of law which would give the foreign manufacturers better means of competing with our industry.

Mr. MITCHELL. The hon. gentleman has given no reasons whatever except this: that the petroleum industry in Canada is very much depressed, notwithstanding they have got a protection of 100 per cent. upon an article that

is used in every family, from one end of the country to the other, that is in use in every poor man's hut as well as in every rich man's house. Notwithstanding that industry has a protection to the extent of 100 per cent., the only reason he gives is that the industry is considerably depressed, and in order further still to prevent the people getting oil, which, both for light and safety, is considered superior to the local oil, obstructions are put in the way of the transport of the foreign article. It is a gross case of injustice, both to the people engaged in the foreign oil trade and to the people of this country. The Government had no right, besides imposing a tax of 100 per cent., to saddle the foreign oil with an obstruction such as this. We are told that the local oil producers have asked some further ameliorations; they have asked for some change as regards flash and explosive tests. The foreign oil men say they do not object to these tests, but want to be put on the same footing as the Canadian manufacturers with regard to transport. There are other industries to be encouraged besides the oil industry. People would be engaged in the barrel industry, getting logs out of the woods, manufacturing staves, working up the barrels, barrelling the oil, and a very large business would grow up. Is all that to be crushed out because the petroleum manufacturers have brought influence to bear upon the Government? Perhaps promises were made to them in the same way as promises were given to other people. I now call on the House to express an opinion whether they think it is right that, after being handicapped by 100 per cent., the foreign oil trade should be further handicapped in its transportation. In the name of my constituents, who are large consumers of this oil, I ask the change, and I think it is unjust to refuse it. There are no grounds for refusal.

Mr. LISTER. I deny the statement of the hon. member for Northumberland (Mr. Mitchell) that the foreign oil is better than the oil manufactured here. I say that the oil manufactured here is equal to any petroleum oil manufactured in the world. I frankly admit that in the past the oil was inferior, but the difficulties which the refiners encountered have been overcome, and we are manufacturing to-day as fine a burning oil as can be produced in the world. In regard to the question of protection, everyone understands the ground which I take upon that, and the ground which the party with which I am associated take: but, I say that, if protection to native industries is the policy of the Government, it would be unfair to this immense and growing interest to do anything to cripple it at the present moment. We know perfectly well, as far as the United States are concerned, that the whole oil interest of the United States is practically controlled by the Standard Oil Company, and we know that they have been bringing oil into this country to sell at a less price than the cost of producing it, in order to get the control of this market. It would be against the interest of this large industry to do what my hon. friend suggests.

Mr. MITCHELL. Is not 100 per cent. enough?

Mr. LISTER. 100 per cent? The moment you strangle that industry you will get the price put up at once. The people of Canada are to-day getting their oil much cheaper than they ever did before. If my hon. friend from the sea thinks he will be able to get it cheaper, perhaps he would for a time, but the moment the Standard Oil Company came here, he would have to pay a higher price; and to put the trade restrictions which my hon. friend proposes here would be to give them an advantage of at least 15 or 20 per cent. more. So long as this is the policy of the Government, that interest—the oil industry—ought to be protected and preserved against the United States as any other in the country. If free trade is to be the order of the day, that interest must go with the rest, unable to exist without a high rate of duty; but, if protection is to rule, that industry, which is a Cana-

dian industry, a purely native one, an industry belonging peculiarly to Canada, should be looked after as well as any others.

Mr. SCRIVER. I differ entirely from my hon. friend who has just sat down, in the first place, as to the relative merits of the Canadian as compared with the American oil. If he will come down to the frontier where I live and get the opinion of the people there and have a fair test of the two oils, he will be satisfied that he is mistaken. Where he lives, away from the frontier and where the two oils are probably not used, they may think that the Canadian oil is equal to the American oil, but you cannot make the people of the Eastern Townships believe anything of the kind. I can speak from personal knowledge on that point. I have in my own house made use of the best quality of Canadian oil that I could get, and have compared it with the American oil, not the best quality, but what is called in the States the "headlight oil"—and I must say that the best Canadian oil is decidedly inferior to the American oil. As to the price, and as to Canada being made a slaughter market for American oil, that is mere nonsense, because you can go and buy any quantity of oil across the border at 8½ cents a gallon for which we pay 15 cents or 16 cents here. The Americans are exporting immense quantities of that oil to foreign countries, and it is not the price in Canada which governs it, but the price in foreign countries. My hon. friend speaks of the action of the Liberal party in regard to that article. I think he was not in the House when the Mackenzie Government was in power.

Mr. LISTER. I said nothing about the action of the Liberal party, but I spoke of the principles of the Liberal party, which I said were perfectly well known.

Mr. SCRIVER. I will remind the hon. gentleman of the principles which were put in force at that time. When the Mackenzie Government was in power my hon. friend, the Chairman of this Committee (Mr. Colby), brought forward a motion in favor of the reduction of the duty on oil, and, although the Finance Minister at that time opposed it, and called upon the House to vote it down, he gave the pledge that a reduction would be made next Session. I think it is a misfortune in the interests of the country that a change has taken place in the Government, and I think one of the mistakes which has followed has been to continue the exorbitant duty on this article, the effect of which is to occasion great hardship throughout the country, and worse than that, as far as morality is concerned, it has led to any amount of smuggling. As my hon. friend in the Chair knows, coming as he does from a frontier county like myself, there is no limit to the smuggling in this country, and no wonder; when a farmer goes to a store on the Canadian side and pays 28 cents or 30 cents for an imperial gallon of petroleum, and he can go a few miles from the frontier on the other side and get his five gallon can—wine measure, I admit—filled for 50 cents—it is no wonder that smuggling is carried on, and it will be carried on until a reasonable duty is imposed on this article. I heard that one of the issues in the county adjoining that of my hon. friend was the increase of duty on petroleum, and I heard that the hon. gentleman who was elected there as the successor of a gentleman whom we all regret, pledged himself to obtain an increase of duty to that which now prevails.

Sir CHARLES TUPPER. My hon. friend knows that the duty is the same as the free trade Government fixed it at.

Mr. MACKENZIE. Yes, but the excise duties were changed.

Sir CHARLES TUPPER. I think not.

Mr. MACKENZIE. Oh, yes, they were.

Mr. LISTER.

Mr. SCRIVER. And, besides that, the difficulties in the way of importation since then have been increased, a higher test has been imposed, and other vexatious restrictions have been imposed upon the importation of that article; and, as an hon. gentleman reminds me, the importation in bulk is refused. I did hope that the Ministry would be prepared, in the changes which they proposed in this tariff, to make some reduction in the exorbitant duty now imposed upon this article.

Mr. MITCHELL. I would call the attention of the House to the point brought forward by my hon. friend from West Lambton (Mr. Lister). He admits that the duty is 100 per cent. now levied upon oil, and he says that, if we make this change which I ask for, it would be taking off an advantage of 15 to 20 per cent. which the local refiners now have. If that is so, the fact is that the people of the counties which are not oil producing are paying 120 per cent. duty on this common article of oil.

Sir CHARLES TUPPER. If you take one part of the evidence of a witness, you must take the whole. The member for Lambton (Mr. Lister), and I have no doubt he is speaking from personal knowledge, has stated that the objection which existed before to the Canadian oil has been removed, that in fact as good an article is now produced in Canada as any one need desire to use. Therefore, the ground for the relief you seek has to a large extent been taken away, and that part of his evidence must be taken with the other. I may tell my hon. friend who has brought this matter forward that he is perfectly well aware that the people of Canada never purchased this oil as cheaply as they do to-day; that instead of having to pay a high price for it, it is now at the very lowest point, while the article itself has been sufficiently improved, I think, as to make it all that any person may require, while the price is much less than it was at the time to which the hon. gentleman refers.

Mr. JONES. I think the Minister of Finance must know that very little Canadian oil is used in the Maritime Provinces. So far as I am aware, the oil used there comes entirely from the United States, and if the proposal of my hon. friend is in the direction of lessening the cost of such an important article in domestic economy as this oil undoubtedly is, I think it should be entertained by the Government. With all due justice to my hon. friend on my right, and with every desire to promote one industry as much as another, still I hardly think that the whole Dominion can be expected to pay tribute to one section of the country, because notably the Maritime Provinces are called upon to pay very largely in that direction. We do not use oil from western Canada to any extent. We get our oil from the United States.

Mr. McMULLEN. When the Minister of Finance states that oil is sold as cheaply now as it has been in the past, I say the statement is not correct. When I was in the trade myself a few years ago, I sold oil for a York shilling a gallon. Now, this tariff reaches the pockets of the poorer class to a greater extent than it does those of the rich. Those living in cities and towns can better afford to pay for this high oil than the farmers. I have listened to the remarks of my hon. friend from Northumberland (Mr. Mitchell), and I endorse his statement that it is highly desirable that every reasonable advantage, in keeping with the interests of our oil trade, should be given to importers of the better classes of American oil. I am glad to hear the hon. member for Lambton (Mr. Lister) say that they are now manufacturing as good oil at Petrolia as is produced on the American side. If anything has tended to improve the production of that article, it is the fact that the Americans, notwithstanding the duty that has existed, have sent in oil into this

country simply because the Canadians could not supply the same rectified article that is produced on the other side. If we have now commenced the manufacture of an article as good as the American oil, I do not see why we should still further restrict the importation of American oil, as we are asked to do now. We know that in the past there has been a combination in oil. I know myself a refinery in a city in western Canada, the stockholders of which have for years got their dividends just the same as if the refinery was running, although it does not refine a single barrel of oil. The stockholders of that refinery got their dividends at the end of the year, and, perhaps, more than they could have made if they had been running the factory. Now, I say that a law that will permit a combination of this kind to be formed for the purpose of subjecting the poor consumers to exactions in this way, is not a just law, particularly when it strikes at the poorer classes heavier than it does at the richer classes, as this law undoubtedly does. I hold that we should not by any action of this House increase the advantages that are now enjoyed by the producers of coal oil, by further embargoes being placed upon the importation of a better article. If our people cannot produce it, I should fancy that 100 per cent. ought to be enough in the way of duty. While we are, perhaps, disposed to grant the same measure of protection to the producers of coal oil as to others, I think they should all be placed on an equal footing. I do not know any industry in Canada now that is reaping the advantages of 100 per cent. of protection but the producers of coal oil, and I do not think that we should in reason be asked to place upon consumers of coal oil an additional levy in order to put further sums in the pockets of those producers, simply because they want to keep out of the market altogether an article that, owing to the fact that we are not able to produce it at all, has in the past been imported into this country.

Mr. ARMSTRONG. I congratulate the hon. gentleman from West Lambton (Mr. Lister) on his having learned so well to repeat the stock argument of protectionists. I knew the hon. gentleman was naturally clever, but I did not give him credit for learning the lesson in so short a time. He states the old argument that, although we pay 100 per cent. to the producers, still we get an article cheaper on account of the protection. Then again he states that we get just as good an article as we can get from the United States. I take issue with him there. I state without fear of contradiction that the Canadians cannot make as good an oil as they produce on the other side, for the simple reason that the raw material is not here to make it out of. It is a well known fact that the oil produced in the oil regions of Canada, with the exception of a small quantity produced at Bothwell, is of a lighter character than that produced in the United States, and you cannot by any process that has ever been invented make as good an oil here as you can get from Pennsylvania. You have the proof at your hand in the fact that men will buy oil on the other side and pay the duty in preference to buying Canadian oil. I am glad the hon. member for Northumberland has brought this matter up, because oil is an article of universal consumption in this country; the poorest as well as the rich have to depend upon it for light. Now, why in the name of common sense should we compel the poor laboring people of this country to pay two prices for an article that they must have. Why, Sir, the amount of money that is taken out of the pockets of the poor people of this country is something enormous, and all for what purpose? Simply to enable a dozen men to live in wealth and luxury where there is not really business for half of the number. That is the simple truth of the matter. The hon. gentleman says that it is a good thing to have American oil kept out of the country because in this way we give employment to our own people. That is the old

argument of the protectionist for the protection of Canadian oil and everything else that is to be protected.

Mr. CASEY. I agree thoroughly with what has been stated by my hon. friend from South Middlesex (Mr. Armstrong), that the effect of this change in the tariff will be to place an additional tax upon those who use coal oil.

Sir CHARLES TUPPER. There is no change in the tariff. It remains exactly as it did when hon. gentlemen opposite were in power.

Mr. CASEY. I understand exactly the changes that have been made.

Sir CHARLES TUPPER. No changes have been made. The hon. gentleman is altogether mistaken.

Mr. MITCHELL. What we complain of is this: That inasmuch as by the Act of 1886 the transfer of coal oil within the Dominion of Canada is permitted to be made in tanks and in bulk by local producers, the importers of foreign oil are confined to barrels. That is the distinction to which I have called the attention of the Government, and I ask that they make a change in that regard. This they have refused to do. If I am not misinformed, the present Government, of which the Minister of Finance is the mouth-piece at present, has placed a duty upon the packages since the exit of my hon. friend from East York (Mr. Mackenzie), and an inspection charge of 30 cents per barrel in addition. So they have added to the duties since my hon. friend from East York (Mr. Mackenzie) went out of power.

Sir CHARLES TUPPER. The hon. gentleman does not mean that oil was not inspected by the late Government?

Mr. MITCHELL. I mean to say that a tax of 30 cents a barrel is imposed by the Government. You can understand that I think. The hon. member for Lambton (Mr. Lister) has said you must take the whole evidence of a witness, and, referring to himself, he has said that I have only placed part of his evidence before the House. I placed the whole evidence of the hon. gentleman before the House; but the hon. gentleman evaded half my case. I do not pretend to say that I confined my case to the character and quality of the oil as between domestic and foreign. That is not the objection I make. It is true the hon. gentleman for Lambton (Mr. Lister) gave his testimony. But it is on another point that I showed that great injustice was done towards the foreign importer, the fact that, irrespective of the quality of the oil, the facility of transfer is so great in one case, and the obstacles are so great in the other, as to be equal to 20 per cent. in addition to the 100 per cent. duty, making in all 120 per cent. duty which the people pay to encourage the oil producers of this country. The hon. gentleman says that oil was never cheaper than it is to-day. There is the testimony of a number of hon. gentlemen, not only dealers but consumers, to speak as to the quality and price. The hon. member for South Middlesex (Mr. Armstrong), as well as the hon. member for Huntingdon (Mr. Scriver), and the county of the latter gentleman is situated on the border, says that oil can be bought for 8 cents a gallon on one side of the line, while it is 15 cents on this side. The fact is that there is no more flagrant act in the tariff as it stands to-day than the question of oil, which affects every one of the four millions and a half of people in this Canada of ours. It is a question that I hope yet, notwithstanding that my hon. friends in the Government have refused to do it, will be dealt with before the Session closes—I will not press a vote on it now—and I hope they will be prepared to consider this matter with the view of remedying an act of great injustice to the people.

Mr. CASEY. The arrangement under discussion, as the hon. member for Northumberland (Mr. Mitchell) has shown conclusively, is by no means the same arrangement as existed under the previous Government. It discriminates against

the consumer in favor of the Canadian manufacturer. The contention of the hon. member for South Middlesex (Mr. Armstrong) is quite correct, that better oil can be obtained in the United States than is made in Canada, and at a lower price than in Canada. The contention of the hon. member for Northumberland (Mr. Mitchell) is right, that the present arrangement militates against the consumer and increases the price to the consumer. I, therefore, most heartily endorse the demand of the hon. member for Northumberland, that this arrangement should be rectified. The Canadian producer is allowed to import American oil in bulk and barrel it and make an increased profit, while the wholesale dealer, if not a producer, is not allowed the same privilege in regard to American oil. No doubt the refusal to grant relief, which is required in the interests of the consumer, is owing to promises made in the oil districts during the last campaign. I am informed that in the oil districts other promises were made, that in East Lambton it was promised to increase the protection on oil in some shape, and the Government feel that the least they can do for East Lambton is to leave the producer of oil with all the privileges he at present enjoys. It is the old question of the few against the many, and a very extravagant case of it. If protection be desirable in some instances, I do not think it is desirable in this instance, although the principle of protection may be admitted. I believe that the many who want light—and I am sorry from the present political complexion of this House that the majority in Canada want more light—will be deprived of it for the benefit of the few who produce the illuminating material. For this reason I enter my protest in the interests of the many against the interests of the few.

Mr. LISTER. A word or two in regard to the remarks of the hon. member for South Middlesex (Mr. Armstrong). First, as far as the question of oil is concerned: I know that the hon. gentleman has a large fund of information in regard to farming and insurance matters, but he knows nothing at all about the oil business. I am no more a protectionist than he is. I have always taken this ground so far as this particular industry is concerned, that it would be improper and impolitic for this or any Government to rudely abolish the system which they have inaugurated. If that is to be done, I have always held it must be done gradually. The hon. member for South Middlesex (Mr. Armstrong) said Canadian oil was light and American oil heavy. The American is light and the Canadian is heavy; consequently, the Americans are able to take a greater quantity out of the same quantity of crude than the Canadians can obtain. But the difficulty in Canada, as regards the quality, has been that the producers have had no trade regulations. Every man who thought proper to enter into the refining business, made oil just as he thought proper, for the purpose of obtaining the greatest possible profit. To-day all the oil trade of Canada is under trade regulations. The refiners have entered into an agreement by which the quality of oil must be of a regular and standard quality, and the price is the very lowest price compatible with those men being able to live. So far as the manufacturers to-day are concerned, they are manufacturing an oil better than ever manufactured in Canada, and an oil equal in every respect in its burning qualities to that manufactured in the United States, and safer, so far as inflammable qualities are concerned, than any made in the States. The hon. gentleman has told us that there is a duty of 100 or 120 per cent. I say there is no such duty at all. The hon. gentleman will readily understand that the amount of the duty depends on the cost of the refined article. Sometimes it is 60 per cent., sometimes 50, sometimes 70; but, be that as it may, as far as this industry is concerned, under the previous Administration this protection or duty, or whatever you may be pleased to call it, was put upon coal

Mr. CASEY.

oil, and under that duty the industry has gone on and assumed the proportions it has attained to-day. And I may say to hon. gentlemen that, in spite of the high protection which the hon. member for Northumberland (Mr. Mitchell) speaks about, the oil industry of Canada to-day is in a most depressed condition. Crude oil is worth less than 70 cents per barrel, and this is a lower price than has been reached, except on one occasion, in the whole history of the oil trade in this country, and refined oil is cheaper than it ever was before. I will not pretend to say that it is as cheap as it would be if there was no duty upon it at all. I do say, however, that, if you take off the duty, the Standard Refining Company have but one object, and that is to secure the Canadian market, one way or the other, and destroy the oil interests of Canada, and, if they succeed in doing that, the people of Canada would have to pay a much greater price for their oil than they are paying to-day. This is a large industry in this country; it is an industry belonging exclusively to Canada, and if there is any industry which requires to be fostered in this country it is the oil industry. I have no sympathy with the remarks of my hon. friend from Northumberland (Mr. Mitchell) who is a free trader in corn meal, but who is a protectionist in almost everything else, except oil.

Mr. MITCHELL. No; I must correct the hon. gentleman. I am a free trader in corn meal, because it is an article of common use among the poorer classes of the country; it is an article which cannot be grown in this country, except to a small extent in two counties, in the most southerly part of the country, one of them being the county of my hon. friend from West Lambton, and the other the county of Essex. Outside of those counties, I do not think there is a barrel of corn meal produced for marketable purposes in all Canada, and I say a tax of 40 cents a barrel upon corn meal, an article which is consumed so largely by the poorest of the poor, is an outrage. I am a free trader in corn meal, and I would be a free trader in everything else if we could only get free trade. I was deluded in 1878 into supporting what was then proposed—

Some hon. MEMBERS. Question, question.

Mr. MITCHELL. You will get the question when I am ready to give it to you. I say I was deluded into supporting the National Policy at that time. It was proposed that there should be a maximum of something like 25 per cent., and in no case was it spoken of then that a duty should be placed on such articles as flour and corn meal. I was deluded into supporting it; I went to my county and manfully carried out the arrangement which was made—carried out a policy to protect our own market for our own people. But who at that time, in the various arguments or speeches which were made on that subject, ever dreamed that on some articles in the commonest use among the poor people, we would have a duty placed running up in some cases as high as 100 per cent.? Whoever dreamed of putting 40 cents on a barrel of corn meal? Certainly not I. Whoever dreamed of putting 50 cents per barrel on flour, which the poor people use and which they must import? Did I ever conceive that the iron, which enters into the consumption of every man from one end of the country to the other, should be taxed all the way up from 50 to 90 per cent.; that the duty on iron water and gas pipes, which the hon. gentleman has been putting before us and altering three or four times since the tariff was brought down, should have a duty imposed upon them ranging all the way from 60 to 90 per cent.—the pipes which are used for various purposes in connection with building both in the city and country? Were such duties as these any portion of the National Policy? Certainly not. I have no hesitation in saying that the tariff as amended this year is a Nova Scotia tariff, based on the principle of building up certain localities, such as Nova Scotia, at the expense of certain other portions of the country

I mean to say more than this, that the tariff has descended into being a revenue tariff and not purely an incidentally protective one, and, therefore, it is one into which I, at least, was drawn; it is a false protective tariff, carried on by the force of the brute power which they boast on the other side.

Some hon. MEMBERS. Order, order.

Mr. MITCHELL. Where am I out of order? Is there anything wrong in speaking of brute force or brute power, in carrying through a measure?

Some hon. MEMBERS. Order, order.

Mr. MITCHELL. Get up and state your point of order if you want to do so. I wish to justify myself when I am challenged with being a free trader. I am a free trader if we can get free trade. I say we should open our arms to the Americans if they would open their arms to us; but I would put a reasonable protection on the industries of our own country, if they refuse to give us access to their markets. But I am not a protectionist to the extent of imposing duties of 90 or 100 per cent. on articles like these; on articles such as oil where there is 100 per cent. with an additional 20 per cent. owing to the other obstructions which are placed in the way of importation.

Mr. McMULLEN. When the hon. member for Lambton (Mr. Lister) stated the broad fact with regard to coal oil, as well as with regard to many other things, that once you remove the duty and place the manufacturer here in a position in which he will have to compete with the American manufacturer, you would immediately wipe out manufacturing institutions and raise the price far beyond what it is to-day, he was using an argument entirely fallacious. Take the article of coal oil: in the United States to-day the consumer is buying his coal oil at from 10 to 12½ cents per gallon. I would like to ask any hon. gentleman if he thinks that the sixty millions of people in the United States are subject to be imposed on to the extent of paying double the price for coal oil, simply because by the efforts of the producers in that country, they have managed to wipe out of existence the producers of coal oil here. I say it is sheer rot to talk such nonsense; and I am satisfied, if the duty was wiped out to-morrow, our consumers would be getting their coal oil as cheap as they are in the United States, and of better quality than we are now getting it. This article is one which is consumed by the poorest classes of this country as well as the rich, and if you take coal oil to-day you will find that it is sold at a price just about so far above the American price as the amount of protection granted by this House. Just in proportion as the protection goes up just in proportion does the price go up, and it is, perhaps, to-day a slight fraction less than what you could import it and pay the duty and sell it in this country. The refiners get together and they estimate the cost of importing and the cost of bringing the article from the other side; they find out what it can be laid down for here, and then they add the duty, and they say that is the price that it will be sold for. We know that there is a combination in oil; we know that a few years ago that combination was broken by the refractory conduct of one individual, and I know of persons in the retail trade who were almost ruined because they had to sell coal oil at twelve and a half or fifteen cents for which they had paid twenty-three cents. I say it would be the same to-morrow if you would remove the restrictions upon the importation, and allow it to come into the country; you could sell it for ten or twelve cents a gallon less than it sells to-day, and the contention of the hon. gentleman that it would go away up in price is a mere farce; there is nothing in it.

Mr. LISTER. I would ask the hon. gentleman how much coal oil is worth to-day. He can buy any quantity of the best refined oil at 14 cents per gallon wholesale.

Mr. McMULLEN. That may be very true, but you can buy it in the United States for 10 cents retail.

Mr. BAIN (Wentworth). I think it is time somebody put in a word on behalf of the consumer of coal oil, for we have been legislating time and again in the interest of different classes. All I have to say to my hon. friend for West Lambton is, that if coal oil is so low in price to-day, it is because there has been some little internal difficulty among the gentlemen who control the coal oil production. It is an open secret in the west that the coal oil ring expected certain advantages from the Government as the result of the recent elections. Not satisfied with embarrassing the importation of American coal oil, by annoying tests and regulations, they have practically, in the face of the duty, added very materially to the difficulties of introducing it, and have largely crowded the American coal oil out of our market; and it is simply by force of the fact that parties living at some distance from the boundary have to pay the duty before they can get the oil; but they do pay the duty, and they do consume that oil. I am pleased to hear from my hon. friend from Lambton that the Canadian coal oil is so much improved in the process of refining that it can now compete with the American oil. If so, the manufacturers have no great difficulty to contend with in respect to the introduction of American oil. I believe, so far as I can learn from experts in the business that there is no one single article in our tariff so thoroughly and effectively protected to-day as the coal oil interest of Canada, and I hope the Finance Minister will retain sufficient backbone to decline to make any further concessions in the interest of that monopoly. Those of us who have had a little experience in past years, remember that for years the whole people of this Dominion were taxed directly for the benefit of a small monopoly that controlled the whole business, and fixed the rates just to suit themselves. Well, if they cannot manage with a duty that seems to range from 70 to 100 per cent. I think we had better enquire whether this is not one of those industries which is costing us too much to protect. I do hope the Finance Minister will not make any further concessions to the coal oil ring in the west, and that we shall not be compelled to pay any further tribute for the advancement of their interests.

Mr. ARMSTRONG. The hon. member for West Lambton says I do not know anything about oil matters. Well, I can tell him that I lived for many years in the immediate neighborhood of the largest refining district in the Province of Ontario, and knew it thoroughly, and I will tell him what I know about it. The manufacturers were enabled by the tariff to form a combination, and I have seen refineries standing still, and not running a barrel from one end of the year to the other. The owners of those refineries were going about like gentlemen. They clubbed together and decided what refineries should run, what quantity they should produce, and what refineries should stand still; and the man whose refinery stood still got a share of the joint profits. That is what I know about oil. It is just the old story—wherever protection is effective, it allows a chance for rings of that description to be formed. I am not surprised at the hon. member for Northumberland (Mr. Mitchell) feeling strongly on this subject, because it bears with peculiar hardship on his Province, and the other Provinces by the sea. They have not only this enormous duty to pay on the oil, but they have to pay for the immensely long haul besides. This is just one of the attempts that have been made to compel the people of the east to trade with those of the west, and *vice versa*. We all know how it was with coal. The Government tried to compel the people of Ontario to use the Nova Scotia coal, and the result was that the Ontario people used American coal and paid the duty; and, *vice versa*, they tried to compel the people of the Maritime Provinces to buy Ontario grain,

and they bought the American grain, and paid the duty. The fact of the matter is that whenever you try to fight against geography, you fight a losing battle. The hon. member for West Lambton says that the oil industry is very much depressed just now. That is very easily accounted for. The fact is there are twelve men trying to get a living where there is a living for only one or two, and the Government are trying to bolster them up and to help them to do it, and make the poor consumer pay the cost of it.

Mr. BOWELL. I wish to call attention to the fact that the fees have not been changed since 1879, and the restrictions as to the importation of coal oil are also contained in the original Act. Neither is the duty on packages much more than formerly. It is, I think, 20 per cent. The duty on barrels was 25 per cent., but that was changed to a specific duty in order to avoid difficulties which arose in connection with the *ad valorem* duty.

Mr. SCRIVER. It was increased 10 per cent., because the duty of 20 per cent. on barrels valued at \$1.50 was 30 cents, and it is 40 cents now.

Mr. BOWELL. The duty was put on barrels, in some cases, at a valuation of \$2; the contention was that the valuation should be \$1.50, and not \$2.

Mr. SCRIVER. The hon. Minister must not contend that the duty was 25 per cent., because I am certain it was 20. I have seen a great many invoices, and never was the value put at more than \$1.50.

Mr. BOWELL. That was one of those anomalies which existed in the Customs Act. If a barrel was brought in plain, or as a pork barrel, it paid 25 per cent. If it were ruled as a package it came in under the package clause—and I am not sure that the hon. gentleman is not correct—it paid 20 per cent. But I merely rose to point out that the fees were not changed on these articles.

Mr. MITCHELL. I am not objecting to the fees; but what I mean to say is that 120 per cent. advantage given to the domestic oil men is an obstruction in the way of the foreign man importing in bulk, and that is what I want to see removed as a matter of fairness, and it is something I am sure the House will realise, and that the country will think ought to be done.

Committee rose and reported amendments.

Sir CHARLES TUPPER moved that the amendments made in committee be read the second time and concurred in.

Mr. MITCHELL. I would like the Minister of Finance, now that he has heard the opinion of the House, and a pretty general opinion, in favor of reconsidering the matter, whether he will take it into consideration.

Sir CHARLES TUPPER. The hon. gentleman knows that it could not enter into this Bill anyway, because it belongs to another Department, the Department of Inland Revenue. The subject will receive the consideration of the Government during the recess when they will have more time to investigate it.

Mr. MITCHELL. That is something.

Mr. BROWN. I was out of the House for a few moments when the intimation was made that the export duty on elm logs had been dropped. I now ask the permission of the House to make a few remarks, and to express the hope that the Government have not dropped the question entirely, but will certainly fully enquire into the matter during recess. One of the most important debates, perhaps, that has taken place in this House was on the question of the export duty on elm logs. It was shown that a very large interest was affected by that duty, and that that interest deserved as much protection as any other in Canada. Upwards of

Mr. ARMSTRONG.

\$1,000,000 are invested in the manufacture of elm logs. These logs go in the United States free of duty, and our own people are confronted with the manufactured article made from their own logs by the Americans, while they have to pay a heavy duty, under the American tariff, when they send the manufactured articles there. Why this export duty has been dropped is more than I can understand. The whole interest of the community in which these elm logs are manufactured is wrapped up in the export duty. When the first mills were started for the manufacture of materials from elm logs, the price for the logs was \$2.50 per 1,000 feet. Now that the mills at work number thirty-five, \$6 are paid. In those parts of the country where there are no mills, the Americans get the logs at \$3.50 per thousand. This shows that where mills are started the price is increased, and the farmers who furnish the logs are consequently benefited. This industry gives employment to a great many farmers' sons and keeps them in our own country, instead of letting them seek employment in a foreign country. The export duty which should be put on would give a fresh impetus to the trade, American manufacturers would remove their mills to Canada, and thus put a very much larger amount of money in circulation. Now, however, by letting the logs go free to the United States, we will greatly injure one of the most important industries of the country. I earnestly hope that the Government will take the matter into serious consideration. I have no hesitation in saying that they have been misinformed as to the duty, and I must express a great deal more than my regret to find that the duty has been dropped. It is in the recollection of hon. gentlemen on both sides that, when this subject came up, hon. gentlemen, whose opinions I should suppose were of a character that would lead them to be considered as the first opinions of the land, spoke strongly on the subject, and now, in case it may be supposed it is not a farmer's question, I make the assertion, which I can prove, that where there are no mills the farmers get only \$3.50, whereas, where there are mills they get \$6 a 1,000. I speak warmly on this subject, because I think this great interest has not been regarded aright in the great question of the National Policy. I yield to no man in my support of the National Policy, but it is not complete unless extended to an industry like the elm log business, and I hope the Government will not drop the subject.

Sir CHARLES TUPPER. I am not surprised at the warmth of my hon. friend, because, after a very animated discussion, the Government decided to impose the duty of \$1 upon elm logs, and my hon. friend and the numerous gentlemen who take a very strong interest in having the duty imposed have reason to be disappointed at the change of front that is indicated by the withdrawal of the resolution. I may say, however, that among all the complicated questions that have come before me, and with the evidence that has been submitted for the consideration of the Government, there has been, perhaps, none in which it has been more difficult to arrive at a decision as to what is required in the interests of the largest number of people.

Mr. MACKENZIE. I thought you understood log rolling.

Sir CHARLES TUPPER. That is just where the hon. gentleman has made the mistake. We are so incapable of being instructed in relation to log rolling, that we have been moving first in one direction and then in another. As I have said, the Government came to the conclusion that there was a doubt as to the direction in which the interests of the greatest number prevailed in relation to this question, and it was wiser, under these circumstances, not to take a step in advance that might prove to be an erroneous step. We have, therefore, been obliged to ask the committee to strike out its decision to impose a duty of \$1 a

thousand upon elm logs in order that, during the recess of Parliament, we might advise ourselves as to the best course to be taken in the public interest in regard to this question. I may say to my hon. friend that the Government will address itself assiduously during recess to the consideration of that question, and to the collection of such information as will enable them, in view of all the facts and interests concerned, to decide what course is best in the public interest.

Mr. CASEY. Is it during his residence in England that my hon. friend will consider the question?

Sir CHARLES TUPPER. There is no log rolling there.

Mr. CHARLTON. I am glad the Government hesitated before imposing this duty. The section of Canada where elm is produced for export is chiefly in the west. This duty is in the interest of the mill owners and manufacturers, and would operate to the detriment of every man who owns land. The export and sale of logs is the source of revenue to the farmers of the district, and this duty would have the effect of cheapening to the mills the cost of the raw material at the expense of the farmer. It would injure a great many settlers for the benefit of a very few manufacturers. The hon. member for Hamilton (Mr. Brown) tells us that logs are exported to the United States, and that the articles manufactured from them are brought back to Canada and sold here. The duties imposed on the manufactured articles, and the cost of transportation of the logs and of the manufactured articles, ought to be sufficient protection to enable our manufacturers to compete with the Americans. However, the broad question is this: The duty asked for by those who wish for the imposition of it is calculated to benefit a very few individuals. It is a duty which is to be levied at the cost of a great number of individuals. Every farmer, having elm logs on his land, is interested in having the best price for those logs. It is in their interest that the Government have taken the action they have, and, if they examine into the matter, I believe they will find that the balance of advantage is in favor of the great number of the farmers, who have a hard struggle in a new country, and are entitled to get the best price they can obtain for the logs which they remove in the process of clearing.

Mr. PATTERSON (Essex). In regard to this question of elm logs, which seems to agitate my friend from Hamilton (Mr. Brown), I may inform him that it is simply a local question affecting the western peninsula of Ontario, and I think that anyone who, by petition or deputation, endeavors to interfere with that matter, disregards the courtesy which is due to the members from that district. If my hon. friend had told me what he intended to do in his zeal for legislation, I would have been glad to wait on the Prime Minister with him and argue the question out before the Prime Minister. This does not very seriously affect the city of Hamilton, and, if the hon. gentleman feels that it does, I am quite willing that the city of Hamilton should be exempted, and that there should be a duty on elm trees growing in the city of Hamilton when cut into logs. There is an ample protection for the Canadian mill man, in this: that the American buyer has to haul the logs to the Detroit River or Lake St. Clair, has to have them rafted across to the Michigan shore, and then they have to be hauled to the Michigan mill, and the cost of that haulage is an ample protection to the Canadian mill man. Every cent of duty placed on logs would be a direct loss to the farmer who has the logs for sale, and would be so much additional money in the pockets of the mill men. I happen to have a letter which I received before the Government had decided not to impose the duty, from an old man in that part of the country, and I think that letter tells the story pretty plainly. He says:

"In the list of tariff changes I find a duty of \$1 per thousand feet on spruce and elm logs. The duty on spruce logs is a myth, as we do not export any, but the duty on elm logs is perfectly infamous. It is just \$1 out of the pockets of the hard-working settlers who are clearing up the land and trying to make a home for themselves and families, and trusting to the elm to help them to clear up the lands. Why the Minister of Finance should listen to every harpy who wants to prey on his neighbor is past my comprehension. God knows the taxes are high enough on everything we buy, but if the Government are going to tax what we have to sell, pity poor Canada."

I resented the manner in which the duty was imposed by the Government after a pledge being made to me that no such duty would be imposed. Without my being consulted, without anything further being said to me, this export duty was decided on, and I am glad the Government have exercised their own good sense and judgment, and have not taken the advice of those who are not interested in any way in this matter, and that they have concluded not to impose such a tax on the farmers of the district which I have the honor to represent.

Mr. BERGIN. My hon. friend from Essex (Mr. Patterson) is much mistaken if he supposes that it is only in the western peninsula of Ontario, that elm logs are produced. There is as much elm and better elm grown in eastern Ontario than in Essex. The harpies of whom he speaks I know nothing of, but the letter which he read, and which he seems to endorse, is a total condemnation of the policy that he has been supporting for past years in this House. I cannot help expressing my surprise that any hon. gentleman who has given the support which he has during years past to the National Policy should read with expressions of approval such a letter as he has read here to-day, and I do not think that, in reference to the gentlemen—I was one of them—who waited upon the Government asking in the interests of our constituents, in the interests of the producers of elm logs in this country, that a duty should be imposed, he should have spoken of us in that way. We had, I think, as perfect a right to consult and to advise the Government as to the course they should pursue as he had to advise privately and ask them not to impose the duty. The hon. gentleman seems to think he is the only person who has the privilege of finding fault with the Government of this country when they do not do what they are asked. We who waited on the Government in reference to this matter are the people who have a right to find fault with them, and not the member for Essex (Mr. Patterson), because, though they gave no such pledge to us as they gave to him, they said they would take the matter into consideration, and they brought before the House and passed a resolution imposing the duty, and now we are asked to go back on that. I do not think that is right, and I think that, after taking our advice, and taking the action they did, it ought to have been tried for one year, and not withdrawn without further consultation with us. That is the only point on which I agree with the hon. gentleman in finding fault with the Government. It is a right I do not often exercise, but I feel called upon to use it to-day.

Mr. DAWSON. I know something about the duty of pine logs, though I do not know so much in reference to the duty on elm. The duty of \$2 per thousand feet B.M. imposed on pine logs has had a very good effect in the district I have the honor to represent. It has led to the erection of new saw mills at Little Current, Spanish River, Mississauga River and Thessalon River, and all that from the imposition of a duty of \$2 a thousand on pine saw logs. They do not take them across now and saw them on the other side, but we have the advantage of the sawing on our side, which gives employment to large numbers of workmen. There is not one of these large mills but employs 200 or 300 workmen from one end of the year to the other, and certainly a policy which does that, which gives the manufacturing of the logs and the lumber to our own

country, and gives employment to the laboring classes, is in conformity to the policy the Government has adopted. With regard to elm logs, I cannot see why the same policy should not be adopted. Perhaps there may be something exceptional with regard to elm, but I believe that, if, by imposing a duty on elm logs, you could lead to their manufacture in the country, it would be to the advantage of the country. My opinion is that it would be to our advantage to increase the duty on pine logs instead of reducing it, and also to impose a duty on all unmanufactured lumber going into the United States, so that we might have the advantage of manufacturing it here.

Bill reported.

Sir CHARLES TUPPER moved the third reading of the Bill.

Mr. MILLS (Bothwell). I would ask the hon. gentleman to allow this to stand till to-morrow, as there will be some discussion on it.

Sir CHARLES TUPPER. Very well.

Mr. PERLEY (Ottawa). I cannot allow this question to go on without expressing my views upon it. I appreciate the excellence of the remarks made by the hon. member for Hamilton (Mr. Brown) in reference to the protection of logs manufactured in this country. I submit, Mr. Speaker, that the sawing of this elm lumber costs at least \$3 a thousand, and I submit that, on the principle of protection that this country has adopted, we are bound to carry out the principle so far as to extend protection to the labor that is expended on the sawing of those logs. I am surprised to hear from the hon. member for North Norfolk (Mr. Charlton) that the expense of getting out those logs is equal to the duties that we have to pay on lumber entering the American market. I am surprised to hear hon. gentlemen advocate that these logs should be sawn upon the other side of the line, instead of advocating a protection to the labor of this country employed in the manufacture of those logs. The cost of manufacture, the cost of sawing, and the duties which we have to pay to enter the American market, is at least \$5 a thousand, and out of that sum \$3 a thousand would be the least cost of sawing the lumber and getting it ready for the market of this country.

Some hon. MEMBERS. Order.

Mr. SPEAKER. I must remind the hon. gentleman that there is now no question before the House.

Sir CHARLES TUPPER. The Bill is not to be read the third time until to-morrow, when the hon. member will have full opportunity of discussing it.

SUPPLEMENTARY ESTIMATES.

Sir CHARLES TUPPER presented a Message from His Excellency the Governor General.

Mr. SPEAKER read the Message as follows:—

LANSDOWNE.

The Governor General transmits to the House of Commons the additional Supplementary Estimates of the amounts required for the service of Canada, for the year expiring 30th June, 1888; and, in accordance with the provisions of "The British North America Act, 1867," he recommends these Estimates to the House of Commons.

GOVERNMENT HOUSE,

OTTAWA, 20th June, 1887.

Sir CHARLES TUPPER moved that His Excellency's Message, with Estimates, be referred to the Committee of Supply.

Motion agreed to.

Mr. DAVIES. Would the hon. gentleman state the amount of these Estimates?

Sir CHARLES TUPPER. The amount chargeable to capital is \$300, and to Consolidated Fund, \$87,375.83.

Mr. DAWSON.

Mr. MITCHELL. I might ask the Finance Minister if this completes the Estimates?

Sir CHARLES TUPPER. I hope so.

PENSION FUND SOCIETIES.

House resolved itself into Committee on Bill (No. 52) to empower the employes of incorporated Companies to establish Pension Fund Societies.

(In the Committee).

Mr. MILLS. I would ask the promoter of this Bill whether it is intended to confer these powers simply on companies incorporated under Acts of the Parliament of Canada, or whether it is intended to confer them upon all companies, whether incorporated by this Parliament or not?

Mr. HALL. By the action of the Committee of Banking and Commerce, the provisions of the Bill were restricted to companies incorporated by the Parliament of Canada.

Bill reported, and read the third time and passed.

THREATS, INTIMIDATIONS AND OFFENCES.

Mr. THOMPSON moved the second reading of Bill (No. 162) to amend the Revised Statutes, chapter 173, respecting threats, intimidation and other offences.

Mr. CURRAN. Before this Bill passes its second reading I have a few observations to offer that have been suggested by persons who are deeply interested in this legislation. There is no person in this community who is not anxious that proper protection should be given to every one who desires to work in any particular branch of trade, industry or any occupation whatever, whether it be in the occupation supposed to be referred to in the present legislation or any other—I believe it will be generally admitted that there is no organisation in this country that is not anxious to see such laws enacted as will enable every man to enjoy the greatest freedom. At the same time I believe there will be something that may be considered invidious, not so much, perhaps, in the present Bill, as in other legislation sought to be imposed; and in the present Bill there are some points to which I desire to draw the attention of the House in order that amendments may be made so as to make the law unobjectionable. The Minister proposes that:

"Every person who unlawfully and by force or threats or any other means, hinders or prevents or attempts to hinder or prevent any seaman, stevedore, ship carpenter, ship laborer or other person employed to work at or on board any ship or vessel, or to do any work connected with the loading or unloading thereof, from working at or exercising any lawful trade, business, calling or occupation in or for which he is so employed, or beats, or uses any violence to, or makes any threat against any such person with intent to hinder or prevent him from working at or exercising the same, or on account of his having worked at or exercised the same, shall, on summary conviction before two justices of the peace, be liable to imprisonment, with hard labor, for any term not exceeding three months."

There is, as has already been pointed out to this House, a distinction of some importance in connection with the threats that are referred to in this clause in contradistinction to the language used in other clauses of the Act sought to be amended. The threats, if we take clause 12, are threats of violence. I do not see why in the present clause sought to be amended the same language should not be used in section 10, as in other sections. There is an addition in this clause of the words, "or any other means." I do not conceive that this is a desirable addition to the law as it now stands. In fact, if we refer to section 13 of the Revised Statutes, the next section to that which is now sought to be amended, and in which these words are sought to be introduced, we find that all the means are enumerated there that may be resorted to in order to prevent in any way persons from working. We read as follows

"(a.) Uses violence to such other person, or his wife or children, or injures his property; (b.) Intimidates such other person, or his wife or children, by threats of using violence to him, her or any of them, or of injuring his property; (c.) Persistently follows such other person about from place to place; (d.) Hides any tools, clothes or other property owned or used by such other person, or deprives him or hinders him in the use thereof; (e.) Follows such other person with one or more persons in a disorderly manner in or through any street or road; or (f.) Besets or watches the house or any other place where such other person resides or works or carries on business or happens to be."

The law contains all this enumeration already, and I do not think, after due consideration, that the Minister of Justice will ask that the words "or any other means" after such a general sweeping enumeration should be left in the amendment now before the House. I believe also, with those who have been in communication with me, members of trade organisations, that the word "so" before the word "attempts" should be inserted; that is to say, that the attempt must be made by force or violence. In this clause which is sought to be amended, the Minister of Justice wishes to strike out the word "usually." For my part I cannot see that to strike out this word would make the law any stronger than at present. The striking out the word "usually" is strongly objected to, and, therefore, I would point out to the Minister of Justice that the word "usually" being left in the law will not in any way weaken the force of the amendment he is seeking to introduce. I am asked by an hon. member why do we object to it. We say the law covers all the charges already, and therefore the change proposed should not be made. If we take the persons enumerated in the law as it exists now, we find that this section which refers to persons on board ship speaks of: "seamen, stevedores, ship carpenters, ship laborers, or any other person usually working at or on board any ship or vessel." It has been contended that this law does not cover persons who come for the first time to work on board a ship. I do not think that such a contention can hold for one moment. The captain who has just received his documents placing him over a vessel goes for the first time on board that ship, and certainly that law would protect him although in common parlance he has not been usually on board the ship. The same thing applies to a mate or a seaman who has just signed the articles and engaged on the vessel. So with respect to stevedores. That designation covers all persons who are engaged in loading or unloading a vessel in port. He is a person usually employed in loading or unloading a vessel. The law does not apply to any particular vessel but to vessels generally, and when we say officers who are usually employed on board a vessel, we cover a whole class of persons, whosoever they may be, who are engaged in any way in or about the vessels in question. I contend, therefore, that the word "usually" should be left in the law as it now stands. I contend, also, that the words "threats of violence," which are not contained in the latter part of the amendment, should be introduced as in the first part of the section. Those who have been in communication with me also desire to bring under the consideration of the Minister of Justice that, if possible, a fine should be imposed instead of imprisonment. The present law states that any person offending against this section, shall be liable to imprisonment and hard labor for any term not exceeding three months. I am under the impression that there is no change now made in the law by the measure submitted by the hon. Minister of Justice in this respect. I would, therefore, ask that the words "of violence" be added after "threat"; that the word "so" be introduced in the second line after the word "or"; that the word "usually" be left in the law, as it covers every case which can possibly come up, and that the words "or any other means" be obliterated altogether, as tending in no way to improve the legislation now on our Statute-book.

Mr. DENISON. As the hon. member for Montreal Centre (Mr. Curran), has placed before the House the views

of the workingmen's associations fully, I shall occupy the time of the House but for a moment. I have been requested, however, to read a few telegrams which have been received here on behalf of some labor organisations, and although I think they are unduly alarmed over the changes which are proposed to be made, and take too serious a view of the matter, it is only fair that I should read those telegrams to the House. I am informed that the telegram to which the following telegram is an answer, was one which included all the changes proposed to be made in the law:

"To D. J. O'DONOGHUE,
"Ottawa."

"The following unanimously passed to-night:—
"That whereas it has just come to our knowledge that a Bill has been introduced by the Government at Ottawa in lieu of Bill recently introduced by Amyot, directed against Quebec ship laborers, &c., in which the rights and privileges of said organisation are menaced, be it resolved: That we, the Toronto Trade and Labor Council do strongly condemn and emphatically protest against the passage of said Bill believing that although ostensibly directed to this particular branch of industry it is practically a direct blow at the rights and privileges of organised labor throughout the whole Dominion.

"G. HARRIS,
"President, T. T. & L. C."

Then there is the following one from Woodstock:—

"WOODSTOCK, 18th June, 1887.

"To D. J. O'DONOGHUE,
"Ottawa."

"DEAR SIR,—District Assembly, 138, sends her most emphatic protest against the Bill introduced by the Government with regard to labor on ship board and sincerely hopes it will never become law.

"J. WATFORD,
"District Master Workman."

The following is from Oshawa:—

"OSHAWA, 18th June, 1887.

"To D. J. O'DONOGHUE,
"Ottawa."

"Enter protest on behalf of Oshawa Trades Council against Government Bill regarding threats, molestation and other offences. Will write to-night.

"JAMES R. BROWN,
"Secretary."

And the following is from St. Thomas:—

"ST. THOMAS, 18th June, 1887.

"To D. J. O'DONOGHUE,
"Ottawa."

"Local Assembly, 4322, Knights of Labor, St. Thomas, protest against the passing of Bill introduced yesterday by Government referring to intimidation.

"ALEX. BESS,
"Master Workman."

Mr. ELLIS. I will not enter upon a discussion of the words which it is proposed to insert, "or any other means," further than to say that it will form a most objectionable proceeding from my point of view, with regard to matters of this kind. I shall not discuss the question of labor and capital, but I am of opinion that the laboring men of the country are driven pretty much to the wall under the legislation we now have, and this would tend further to shut them out from their rights. I will support the motion of the hon. member for Montreal Centre (Mr. Curran).

Mr. MILLS (Bothwell). I think we should hear from the Minister of Justice the reasons why the Government have thought it necessary to introduce this Bill.

Mr. WILSON (Elgin). I regret exceedingly that the Minister of Justice has deemed it necessary to introduce a measure of this kind at this period of the Session. Had there been any necessity for such legislation it certainly ought to have been brought in when we would have had an opportunity of having information from all parts of the country, from parties who are interested, or likely to be interested, in anyway by legislation of this kind, so that they could have made representations on the subject to the Government and the House. I fully agree with the state-

ments made by the hon. member for Montreal Centre (Mr. Curran). No great inconvenience has been felt under the present law, in the greater portion of the Dominion of Canada. There may be some isolated places where difficulty has been experienced, but, if that has been the case, it must be due to a great extent to laxity in putting the existing law in operation. And I do not see that, because those who were charged with seeing the law executed have not done their duty, we should, therefore, pass a Bill at the present time which would reflect upon an organisation which really is not deserving of censure of this kind. I cannot see for the life of me, in reading over the clause, why the present law should not afford the necessary protection for the parties interested, as it is sufficiently stringent, if properly carried out, and sufficiently provides for the punishment of any evil doers. If the amendment passes with the proposed words, "or any other means," none of us will be safe, whether we belong to these labor organisations or not. If we happen to be around where danger is going on, we are liable to be arrested, tried before three magistrates, and without hesitation committed to prison for three months. I am rather surprised at the Minister of Justice introducing such a measure. I thought he had a kinder heart than to do such an injustice to those citizens who may happen by chance to come in the way where a charge could be preferred against them. Why is this resolution directed against the labor organisations? Was it thought necessary for the wealthy capitalists? I say that it is an injustice and an insult on the hard-laboring, industrious classes in the various parts of the Dominion. If there have been difficulties in Quebec, they have not been caused by the labor organisations there, but they must be owing to some other reason. We have not heard of difficulties in other places than in Quebec; and surely all the labor organisations from one end of the Dominion to the other should not have a slur cast upon them by legislation of this kind. What does the Minister of Justice mean by the words, "or any other means?" Does that phrase embrace all classes of offences? It is too comprehensive altogether; we should place no such power as that on the Statute-book. I, therefore, feel strongly that this Bill ought not to become law at the present time. If there have been difficulties, they should have been brought before the House at an earlier period. It is unfair at this stage of the Session, when we have no opportunity of letting the whole country know the nature of the legislation that is now proposed, to spring this Bill upon us. I think the hon. Minister should not press the Bill at present, but he should put in force the laws at present on the Statute-book, which I think are sufficiently stringent. I for one will oppose the Bill.

Mr. PATERSON (Brant). It seems to me that only a very serious matter can justify a Bill of this kind being introduced in the closing days of the Session. There have been no complaints before the House, and no serious trouble in any part of the Dominion, to require what looks to me like special legislation. I could not help thinking that it was invidious in its nature, when I examined the 12th clause in the Act, which I did before the hon. member for Montreal Centre (Mr. Curran) spoke. There is a great deal, I think, in the contention that that clause of the Statute, if invoked, would enable every one to engage such labor as he saw fit. It does seem to me that the Bill, directed against a special class, and providing that "by any other means" they may be dealt with and punished, is a very strong provision, and I think the Minister will have to give us some strong reason for asking us to adopt this provision. That term, "by any other means," looks as if it were intended to cover some things not covered in section 12 of the Act, and looking at that section, I think almost every means one can think of is mentioned there. Will that phrase, "any other means" prevent anyone from joining a society? Questions like

Mr. WILSON (Elgin).

that arise, and I think the Minister should give us an explanation of what he means by that phrase. It does seem to me that there is no information before the House that warrants us in adopting this legislation at this time. Unless some good cause can be assigned for it, it appears to me that the Bill had better be left over.

Mr. THOMPSON. There is nothing of a very dangerous character in this Bill, and I am sure some of the objections taken this afternoon will be entirely removed if the hon. gentlemen who have raised them will read the Bill. The hon. member for East Elgin (Mr. Wilson), for instance, said that this Bill was aimed at an honest, industrious laboring class. Will he tell me what class it is aimed at, and what class it affects? It affects no class whatever excepting a class of criminals who try to prevent other people, by threats or violence, from doing work which they have a right to do. Now, there is a complete misconception about the particular words of the Bill that have been criticised. I admit that the clause is not as precisely drawn as it might have been. The expression which the hon. gentleman has taken such exception to, "or any other means," is entirely qualified by the word "unlawfully," and the Bill is, therefore, only aimed at persons who unlawfully, by force or threats, or any other means—

Mr. MILLS (Bothwell). Not as it stands.

Mr. PATERSON (Brant). With deference to the Minister, it does not so strike me. Of course I am not a lawyer.

Mr. THOMPSON. I have no hesitation in saying that the only construction it bears is that which I state.

Mr. MILLS (Bothwell). If you leave out the word "and" after the word "unlawfully."

Mr. THOMPSON. There is no offence unless two things are combined, it must be done unlawfully, and it must be done by force or threats or any other means. However, as the hon. member for Montreal Centre has called my attention to it, and has pressed upon me the consideration that the Bill is to be administered by justices of the peace who may not be skilled in questions of interpretation, I have no objection to make its meaning plainer. The purpose of the Bill, as I explained in introducing it, is not to bring under the ban of the criminal law what was not under the ban of that law before, but to remove technical difficulties in the present law. I am willing to qualify the word "threats" by adding the words "of violence," and to strike out the words "or any other means;" although I think the Bill only refers to unlawful means, so as to make the law plain to magistrates who have to administer it. As for the Bill being aimed at any particular laboring class, I have merely to say that the Bill is completely silent on that question. It leaves to every laboring class its rights; but it says that whether a man usually works on board of a vessel or is brought there temporarily, his life and liberty, his property and person shall be under the protection of the law. I do not think it alters the sense of the law, but our attention was called to these matters under these circumstances. It is true, a special case has arisen in the city of Quebec, many persons think, for much more stringent and coercive legislation than now exists. I declined to ask Parliament to increase the penalties or to change the procedure under the present law; but in that connection our attention was called to the fact that the protection against violence was only afforded to those whose usual occupation was to work on board vessels; in other words one whose usual occupation was that of a seaman or a stevedore would be completely under the protection of the law, while another man, accustomed to labor at another occupation, if taken on board a ship to labor, was not protected against threats or violence. That is an honest occupation in which any man has a right to engage. One man is entitled to protection from

violence as much as another, and that is the reason I ask to strike out the word "usually" in the Act. Then it was called to our attention, in the same connection, that there was no provision for this case, that, while the present law made it penal to threaten with violence any man who did work on board a vessel, while he was working or going to work, there was nothing to make it more serious than an ordinary assault and battery to commit violence against a person on account of his having so worked. The labor organisation to which the hon. member for Elgin (Mr. Wilson) referred as an honest, industrious laboring class, distinctly, and very properly, repudiated any sympathy whatever with the offences which this Bill aims at. They say they are not anxious at all that there should be any loop-hole for persons to escape out of, who offend against their fellow workmen by violence or by threats of violence, and, therefore, they are not in any way aimed at by this Bill; but the persons at whom it is aimed are those who should not be at liberty to molest or assault a man after he has done his work, on account of his having worked at a particular vessel or port. The labor organisations have a perfect right, a right recognised by law, to refuse to admit into their society persons not usually following their line of business, and to expel from their society persons who infringe their by-laws and work contrary to their regulations; but they properly disclaim any right whatever to interfere by molestation with the persons or property of their fellow citizens. Against persons outside of their organisations, who are willing to commit acts of violence against laboring men of this kind, the law should be made effective and operative. I am willing to admit, however, until some stronger case has been made out, we ought not to ask Parliament to increase the penalties.

Mr. JONES. The hon. gentleman says these organisations have the power to admit and to expel certain persons. That is one of the rights these labor organisations possess, and its exercise in a way to prevent any member working on board a vessel might have been construed, under the original clause of that Act, as criminal. Now, that the hon. gentleman has removed that section by another means, I admit that difficulty is removed to some extent. At the same time, it appears to me it is a questionable proceeding to deal with one branch of the labor subject this afternoon, without considering the case more fully in its general aspects. As regards the community from which I come, we never had trouble with the laboring classes. They have never interfered with or prevented any man discharging his duty, in a proper, legitimate way. It appears to me this Act is almost a stigma against all those organisations that have hitherto preserved quite an orderly obedience to the law, and it would look as if this Parliament recognised the necessity of dealing with them in a more stringent manner, than appears to be called for by the the occasion to which the hon. gentleman referred. The labor class would hardly recognise the necessity for this Bill, although the change which has been made in it, has made it less objectionable than it was.

Mr. MILLS. I do not see myself that the hon. gentleman has made out a case for changing the law, nor do I understand him to point out very distinctly what offences may be committed by persons who are combined in this way that are not met by the law as it stands. The law says "every person who by force, threats, or any other means, hinders or prevails, or attempts to hinder or prevail." At the same time, a person may have a civil remedy against the party who interferes with one in his employ, and who persuades him to break his contract or abandon the enterprise in which he is engaged. In cases, it seems to me, where the parties used persuasion or used other means than intimidation, or threats, or acts of violence, the

party who is wronged or injured ought to be left to his civil remedy. "Every person who unlawfully, by force or by threats, or by any other means, hinders or prevails, or attempts to hinder or prevail"—Now, a person may attempt to hinder or prevail by persuasion. He may undertake to bribe a party or to convince him that he can find more profitable employment elsewhere, and in this way a magistrate, interpreting that law, would hold that the party came within its provisions. It seems to me, it is not enough that he should prevent or hinder, but he should do so by intimidation or violence, in order to commit an offence that would justify criminal proceedings being taken against him. I am not going into a discussion of all the changes made, but I think the hon. gentleman has not succeeded in showing that the law of the country is defective as a criminal statute, and that these changes are necessary.

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

Motion agreed to, and debate adjourned.

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

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

HOUSE OF COMMONS.

TUESDAY, 21st June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

OFFICIAL REPORT OF THE DEBATES.

Mr. CHARLTON. Is it intended that the report of the Debates Committee should be considered to-day or to-morrow?

Mr. DESJARDINS. I could not make any motion now except by the consent of the House.

Mr. MILLS (Bothwell). The report does not disclose what the evidence is. We have heard rumours about the House, and it has been reported to me that there is no ground for complaint of which the Speaker or anyone else can take cognisance. If the House is disposed to lay down a rule—and I do not say that it would not be proper—then there would be something of which parties might take cognisance of, but, as far as I know, there is no rule and there has been no violation of any rule.

Mr. SPEAKER. This is not the time to discuss the question.

Mr. MILLS (Bothwell). I understand that there is nothing disclosed in the report, giving any information on the subject.

Mr. SPEAKER. When the motion is made to adopt the report it may be discussed on that question.

DIVORCE—RELIEF OF SUSAN ASH.

Mr. SMALL moved that the Bill (No. 135) for the relief of Susan Ash (from the Senate) be placed on the Orders of the Day for a third reading.

Mr. DAVIES. I, for one, would not consent to that, unless the hon. gentleman will assent to the amendment which was moved before.

Mr. SMALL. That depends on what the solicitors for the petitioner will say. I have no objection, as far as I am concerned; but there can be no objection taken to this motion, which is according to the rules of the House.

Motion agreed to, on a division.

PRINTING COMMITTEE'S REPORT.

Mr. DESJARDINS. I would move, if there is no objection, the adoption of the report of the Joint Committee on Printing. It is only a matter of form.

Sir HECTOR LANGEVIN. I think my hon. friend will do as well to allow it to appear on the Notice paper, and move it to-morrow.

PRIVILEGE—DEBATES REPORT.

Mr. WATSON. Before the Orders of the Day are called, I wish to call the attention of the House to a telegram from Ottawa, published in the *Manitoba Sun*, and headed: "Scarth's Troubles," and which I will read:

"Before the Debates Committee this morning, Scarth had a shorthand reporter of the *Hansard* examined, with a view of ascertaining if the notes had been tampered with on the evening of the disallowance debate, when Scarth denied what Watson was saying respecting a telegram received from Sir John. Scarth maintained that a mistake had been made in the report, and a most annoying one, too. He repeated that what he did deny was just what I telegraphed to the *Sun* a few days afterwards, when he arose in the House and made the correction. He said he had just as good an ear as *Hansard* men, and his understanding of what was said had been borne out by many friends on both sides of the House. A number of the members of the committee made explanations—"

Mr. SPEAKER. Would the hon. gentleman just state what is his question of privilege—because it is evident to every hon. gentleman, that newspaper articles ought not to be allowed to be read here, except when it appears to the House that there is a question of privilege involved, which question must first be stated to the House, and then the House will say if it is a question of privilege, or not.

Mr. WATSON. The question of privilege is in relation to statements I made in a speech, before this House, on the disallowance debate. I am nearly done reading—

"and Scarth agreed to accept it—"

Mr. SPEAKER. The hon. gentleman has not answered my question. I request him to state what is the question of privilege. If it is only to state that what is contained in that paper corroborates his statement, that cannot be allowed. If he wishes to say that the paper had said certain things which are, in his opinion, a breach of his privilege as a member of this House, I shall allow him to go on, but not otherwise.

Mr. WATSON. I maintain that what has been said in this House is reflecting on me and on what I have stated in this House. I think I have a right to state as a question of privilege that the statements that are going abroad in reference to my speech on the disallowance question, are misrepresenting the proceedings that took place in this House. Now, the article I read would give the public to understand that the Committee of the *Debates* had made explanations to satisfy the member for Winnipeg (Mr. Scarth), and that possibly a mistake was made by the *Hansard* in reporting my speech on the disallowance question. The denial that the member for Winnipeg refers to here, when he states that he got up on the floor of the House and denied the correctness of the statement, does not refer to my speech at all. The hon. gentleman rose to a question of privilege on May 30th, with reference to an article that appeared in the *Globe* newspaper, but not with regard to the *Debates* at all. I rise for the purpose of stating to this House that the statements made by myself in the debate on the disallowance question, and which the hon. member rose in the House and objected to, are reported correctly. I do not wish anything that I may state in this House to be added to or taken from. The report as printed in the *Hansard* is correct, and as to insinuations that the *Hansard* reporter had been tampered with—I suppose by myself—I may just say that I did not see the *Hansard* reporter that evening; I was not in the *Debates* office; I

Mr. SMALL.

did not converse with him, but I remained in this Chamber until the debate was concluded.

Mr. SCARTH. I have simply to say, in case that it might go abroad that I said the reporter had been tampered with, that I never made use of any such expression; and if anyone has been led to believe that, they will be all the more led to believe it now from the fact of the hon. member for Marquette (Mr. Watson) denying it. I have simply this further to say, that the report in the *Hansard* is not correct; that the hon. member for Marquette stated distinctly that I had said that I had received a telegram from the leader of the Government saying that he would do away with the policy of disallowance. That I denied, and that only.

Mr. WATSON. If it is in order, I would like to read what I stated at that time.

Mr. SPEAKER. I cannot allow the hon. gentleman to enter into a debate. I do not think the House, either, would allow a debate to be resumed on a question which has been settled several days ago.

Mr. WATSON. I do not wish to enter into a debate, I simply wish to state that what has appeared in the *Hansard* is absolutely correct, and is what I said, word for word.

DEEPENING THE RIVER ST. LAWRENCE.

Sir CHARLES TUPPER moved that the House resolve itself into Committee of the Whole to consider a certain proposed resolution (page 1142) respecting an advance to the Harbor Commissioners of Montreal, to enable them to deepen the River St. Lawrence at Cap à la Roche.

Motion agreed to, and House resolved itself into Committee.

(In the Committee.)

Sir CHARLES TUPPER. I beg to say that the amount that has already been authorised for the deepening of the River St. Lawrence is \$2,680,000, and the amount I am asking in this resolution will make the total sum \$3,005,000. There has been expended to date \$2,253,504.10.

Mr. MACKENZIE. Does that include the harbor?

Sir CHARLES TUPPER. This is for the deepening of the St. Lawrence from the harbor of Montreal to Quebec.

Mr. MACKENZIE. What is the total amount spent by the commissioners?

Sir CHARLES TUPPER. The total amount spent by the harbor commissioners is \$2,253,504.10.

Mr. MACKENZIE. How much for the harbor of Montreal?

Sir CHARLES TUPPER. This is for the deepening of the river. I was going on to explain that the commissioners have been enabled to accomplish the whole work for the amount already appropriated, \$2,680,000, so as to complete the deepening of the St. Lawrence throughout its entire extent to 27½ feet at low tide, with the exception of that portion at Cap à la Roche; and the amount now asked, \$325,000, will complete that work. So that throughout the River St. Lawrence, from Quebec to Montreal, a vessel, the *Parisian* for instance, drawing 27½ feet at low water, would be able to pass without any detention. The effect of the obstruction at Cap à la Roche is to stop a steamer drawing 27½ feet passing that portion of the river except at high water. I may state that this work has all been performed, and the interest has been regularly paid by the harbor commissioners, not out of capital but out of revenue derived from the harbor dues of Montreal. The House will see at a glance the desirability of furnishing this final amount to complete the work, the importance of which is obvious, and it is only right that the very satisfactory fact

should be stated that the revenues of Montreal harbor have been found sufficient to meet the charges for interest, which have been regularly paid on the entire expenditure for this service.

Mr. SHANLY. I should like to ask the hon. gentleman, how soon does he suppose the work will be completed—the importance of which he has stated, and which cannot be over stated?

Sir CHARLES TUPPER. The work of deepening the harbor, with the exception of that portion for which this grant is taken, will be completed this year; but I am not in possession of sufficiently accurate information as to the estimated time that will be required for the removal of the obstructions at Cap à la Roche.

Mr. SHANLY. Is this supposed to be the last advance?

Sir CHARLES TUPPER. Yes, the last advance.

Mr. SHANLY. I would express the hope that when this grant has been expended, the Finance Minister, who I hope will still be in his place here, will come down with a much broader resolution, which will propose that the Government will assume the whole of what is called the Lake St. Peter debt. I am perfectly satisfied, as I have always been since I first gave attention to the subject of navigation, many years ago now, that the enormous expenditure we have made and are making on our canals is a mis-expenditure, until we have made the river below Montreal as free as the waters of the Gulf below Cap des Monts. We are to-day expending enormous sums on the canals, we have expended enormous sums in the past, and I would ask the Minister of Finance and the Minister of Railways and Canals, as well as all those merchants engaged in the trade of the St. Lawrence, whether the expenditure on our canals has not resulted in complete and lamentable failure up to this moment? I assert that it has been a failure, and must ever continue to be a failure, so long as we continue to expend our money in the wrong direction. To-day the policy of the Government, or the principle on which they have acted, seems to have been that Montreal is the final objective point of what is known as the western trade. Montreal is in fact nothing more than a way station for this trade; and what good can it do, I would ask, to bring the trade to Montreal, when we find that when it gets there, the whole trade of the river is so hampered by port charges that vessels will not come, except in small numbers, compared with the number of vessels that go to Atlantic seaports. The Government lately, within this last year, I think, have granted a rebate of tolls on the canals. I venture to say that that rebate will prove to be, as our expenditure will prove to be, an entire failure in respect of the results expected from it, and for this reason: that it is when Montreal is reached that the trouble begins. What can be the use of bringing trade to Montreal when you find, when you get it there, as I said before, that the river below is so completely handicapped as compared with the ocean routes to New York and other Atlantic ports, that the shipping charges make it impossible to compete with those free Atlantic ports on the United States coast. We had in Montreal, two years ago, what was called the small-pox plague. It drove away business from the city, and caused the railway companies enormous loss, amounting to hundreds of thousands of dollars, through the loss of the passenger business. The railway companies might as well have expected to have neutralised the effects of the small-pox scare, by reducing their passenger rates, as for the Government to expect to remove the disadvantages that ship-owners have to contend with at Montreal by reducing the tolls on the canals. The truth is that vessels do not come in large numbers to Montreal, and we do not obtain any large share of the great western trade for which we are seeking. Montreal is handicapped by the enormous port charges, and river charges, and all sorts of other navigation charges, driving

away from the St. Lawrence its legitimate traffic. Nature designed the St. Lawrence to be the most important route to the ocean, but it never will fulfil its destiny until we make the river, from Montreal to Cap des Monts, as free as the blue waters of the ocean below. I will say this further, that it is my fixed firm belief that if this is not to be done eventually, if the Government do not contemplate freeing the river, it will be better at once to economise our expenditure on the canals. And my reason for thinking so is this: that the canals to-day are capable of doing a very much larger trade than we are ever going to obtain, they are capable of carrying five times as much grain than has yet ever reached Montreal in any one season from the great western granary. We might just as well cease our expenditure on the canals and continue as we are doing now, to get little or nothing, a very small percentage indeed, of that trade, the greater proportion of which is the natural right and inheritance of the St. Lawrence river. We must remember that our season of navigation is rather short. We are at certain natural disadvantages arising from climatic conditions, and, therefore, the Government ought to do even more than is ordinarily done by Governments to, as far as possible, counterbalance those disadvantages under which the St. Lawrence route now lies. I trust, therefore, that after this final expenditure, which the Minister of Finance says is to be final, is made, and when this desirable improvement is effected, I may have the pleasure of being able to support, which I will do with great pleasure, a broad and comprehensive measure to be introduced by the Government to make the navigation of the River St. Lawrence, save for ordinary port and light dues, as free as the navigation of the ocean itself.

Sir CHARLES TUPPER. I am afraid I am hardly in a position, at this moment, to enter on a discussion of the very large and important question which has been raised by my hon. friend from South Grenville (Mr. Shanly). I am sure the House has listened with great pleasure to the very interesting and important statement he has made, with reference to the trade of the St. Lawrence, and the trade connected with the city of Montreal, both by the St. Lawrence and by the canals. I agree with him in the statement which he has made, that probably no expenditure ever made in this country has contributed more to the development of the country, more to the advancement of trade, more to the advantage of the whole country, than the money which has been expended in the deepening of the St. Lawrence, and the creation of this channel. The proposal which the hon. gentleman has just made is not a new proposal. It has engaged the attention of the Government from time to time, and the proper period for dealing with it in a practical form, and considering what policy the Government may adopt, will be, as my hon. friend has stated, when this expenditure has been made, and this service is completed, and when we have a navigation of 27½ feet in low water throughout the entire distance from Quebec to Montreal.

Mr. MILLS (Bothwell). Why stop at Montreal?

Sir CHARLES TUPPER. I have never heard that it has been proposed to extend the navigation for ships drawing 27½ feet any further than Montreal. The hon. member for Bothwell (Mr. Mills) may contemplate a gigantic scheme of that kind; but, certainly, I have never heard it propounded from any other source, and, therefore, I can speak of the navigation between Quebec and Montreal, and the results of the improvements which have been made in that channel as being of a very interesting and encouraging nature. The figures for last year show that in 1856 there was an increase over 1835 in ocean inland tonnage coming to the port of Montreal to the extent of 592 vessels, or an increased tonnage amounting to 209,688 tons. There was received in dues collected for the purpose of discharging the interest payable upon the

debt—which interest has been regularly paid on all the advances made to the Harbor Commission—an increase from \$224,897 of revenue collected at Montreal to \$273,794, showing that this expenditure is, year by year, accomplishing the great object for which it is made, that is, to increase the trade and business of the port. I have no hesitation in saying to my hon. friend that the very important question which he has raised is one which has engaged, and will continue to engage, the serious attention of the Government, and that the proper time for dealing with it will be when, by the expenditure of the money which is now asked for and which, it is confidently believed, will be all that will be required to complete this navigation, the channel has been deepened to 27½ feet.

Mr. SHANLY. I am glad to hear from my hon. friend that this matter will have the attention of the Government. That, we know, is a very convenient form of expression, and, of course, my own suggestion is—if I may say that I have made a suggestion—that when the whole expenditure has been made, then, at any rate, the matter will engage the very serious attention of the Government. I have long believed, I still believe, and I will always continue to believe, that the deepening of the St. Lawrence below Montreal, to allow ships of the largest size to come up, is as much a part of our internal navigation system—an internal navigation system the finest in the world—as is the Welland canal. I look upon it as being just as important, as being as completely one of those expenditures that the Government of Canada should father, as the improvement of the Welland canal, or of any of the other links of the St. Lawrence navigation.

Mr. JONES. There is no doubt that anything which tends to remove restrictions from the navigation of the river must naturally increase the commerce of the country, and afford additional facilities for its products to reach the sea. I sympathise a good deal with the observations made by the hon. member for South Grenville (Mr. Shanly), though I do not at present go to the full extent of his views. I merely rise for the purpose of saying to the Minister of Finance, that if the time should arrive when the Government should be able to carry out the views of the hon. member for Grenville (Mr. Shanly), and if the Minister of Finance should be in his present position on that occasion, I trust he will consider the general question, as applicable to our railways as well as to our canals. I notice that lately the tolls have been abolished on the western canals—which is quite a proper thing, I do not find any fault with it—but I think that, in connection with that branch of the subject, it would be proper to consider at the same time, whether the general tolls over the Intercolonial Railway, which is a Government work as much as the canals, which is intended to increase and foster the work of the country from one Province to another, should not be dealt with on the same terms. I trust the Minister of Finance, in dealing with that branch of the subject, will not increase the land carriage as well.

Sir CHARLES TUPPER. I am afraid that the hon. gentleman has lost sight of the fact that no sort of comparison can be instituted between a railway and a waterway. My hon. friend from South Grenville (Mr. Shanly) does not propose that we shall find the ships to navigate these waters and carry cargoes, and that is what the proposal of the hon. member for Halifax would amount to. Not only have we a free road at present, but we have more. The hon. gentleman knows that the Intercolonial Railway is little more than free to-day, that there is no charge for going on the road, that in fact there is not enough collected from the business done on the road to pay for its operation, and, while that is the case, there is no sort of comparison between the Intercolonial Railway and the expenditure on the River St. Lawrence, which has been met, and all the

Sir CHARLES TUPPER.

interest on the money required for that expenditure covered by dues collected at Montreal on the shipping of the country. I say that no sort of comparison can be instituted for a single moment, and, if a comparison could be instituted, I think the hon. member for South Grenville (Mr. Shanly) would strengthen his argument by saying: Put the waterway of the St. Lawrence in the same position in which you have placed the Intercolonial Railway, only having such charges made on the trade of the country as are involved in carrying that trade on the ships which go up and down that waterway.

Mr. JONES. I think the hon. gentleman does not apprehend my argument. I understand that the canals have been built at Government expense, I understand that they have been made free to the commerce of the country. I do not find any fault with that, but there is a certain amount of the expenditure in connection with canals which has been paid out of the revenue of the country; to that extent they are a burden on the revenues, and to that extent the canals are in precisely the same position as the Intercolonial Railway would be. Of course the management of the Intercolonial Railway is expensive, but then there is a large return for the expenditure, and I merely suggested, in the interests of the Lower Provinces, that, having abolished the tolls on the canals entirely, and keeping up as we are an expense on the canals for their maintenance and supervision, I thought the same principle would enable the Government to reduce very considerably the rates on the Intercolonial Railway.

Mr. POPE. The hon. gentleman makes this mistake: The canals are not free; they never have been free, or at any rate they are only free in almost the same sense as the Intercolonial Railway is free. There is a very small fee charged on the Intercolonial Railway for the grain which is shipped upon it, just the same as there is upon the canals. All local freights going through the canals pay to-day just the same as they always did. Freight going to Oswego by the canals pay the same as they have always paid.

Mr. PRÉFONTAINE. I did not catch perfectly the words of the hon. Minister of Finance about the question of the Government assuming the debt contracted by the Harbor Commissioners of Montreal for the deepening of Lake St. Peter. As I understand the question brought before the House by the hon. member for South Grenville (Mr. Shanly), refers to the trade of Montreal in the port of Montreal, and the making of that port a free port in the near future. That is a question that has been agitated in Montreal for a long time, and on which petitions have been sent to the Government during the last ten years, and declarations have been made which were considered by the people of Montreal as promises; but nothing tangible has yet been done. I understand as soon as these last works are completed and the whole of the channel from Montreal to Quebec is deepened to 27½ feet, it is the intention of the Government to take up the question and deal with it in a liberal spirit, having in view not only the interests of Montreal but the interests of the whole Dominion. The navigation trade of the country centres in the port of Montreal, and so far as the interests of Montreal itself are concerned, it is of the utmost importance that this question should be settled as soon as possible.

Mr. MILLS (Bothwell). Do I understand the hon. Minister of Finance to give a pledge that the Government at some early day in the future is going to assume the debt of the Harbor Commissioners of Montreal for the deepening of the river, on the ground of its being a Dominion undertaking, and thus relieve the port of Montreal of the charge that has been incurred? If so, that is a very important departure from the policy heretofore adopted, and from the principle laid down when this work was under-

taken. Quebec is a deep seaport; it is the natural head, if I may so speak, of the deep sea navigation of Canada; but by the energy and enterprise of the trade of Montreal, the river was deepened, so that the deep sea navigation has been extended to the port of Montreal, where the lake navigation also terminates. Of course, I do not know that the Dominion at large has any interest in the question as to whether the deep sea navigation should terminate at the port of Quebec or at the port of Montreal. The port of Montreal has a special interest in the transference of the deep sea navigation from Quebec to Montreal. It has been advantaged, but advantaged at the expense of the port of Quebec. If I understand the hon. Minister rightly, he agrees with the views expressed by the hon. member for South Grenville, and intimates that the Government will be prepared to assume this liability, and to release the port of Montreal from the burden it has hitherto borne.

Sir CHARLES TUPPER. I am afraid I am not able to compliment my hon. friend upon his intelligence. If he gathered any such pledge from any words I uttered, I failed very much to communicate to the House the opinions I wished to make known. Those were, that I appreciated to the fullest extent the argument which the hon. member for South Grenville had addressed to the House. I concurred with him as to the importance of the work which had been accomplished, and as to its value, not to Montreal alone, but to the whole country. I differ entirely from my hon. friend who has just taken his seat, in the view that the deepening of the great St. Lawrence up to Montreal to 27½ feet at low water, is a matter of no consequence to the people of this country. But so far from giving any pledge, I simply stated that, while we were asking for this advance, as all other advances have been asked, for the purpose of completing this work, the interest on the money was regularly paid by the Harbor Commissioners of Montreal from the revenue received from charges collected in the port, and that when this work was completed, that would be the appropriate time to submit the larger question which the hon. gentleman has brought forward, and that it would receive at that time the fullest and most careful and candid consideration of the Government; but I think I did not go any further than that.

Resolution reported, read the first and second time, and concurred in.

Sir CHARLES TUPPER moved for leave to introduce Bill (No. 168) for the improvement of the navigation of the River St. Lawrence.

Motion agreed to, Bill read the first and second times, considered in Committee, reported and read the third time and passed.

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

St. Vincent de Paul Penitentiary \$82,369 51

Sir CHARLES TUPPER. That is an increase of \$420 caused by the addition of three guards, a deputy warden, and a farmer. There is a decrease of \$100 for the chief keeper, and \$50 for the tailor instructor.

To provide for increase of salary to Mr. Richard Pope,
Clerk of the Crown in Chancery, from the 1st
January, 1886..... \$175

Mr. MILLS. I object to this item. This officer has been shown to have been grossly negligent in his duty, and to have failed to discharge his duties, as the law requires. He was shown by his own evidence to have been grossly partial in his conduct, and to have delayed, contrary to law, the entry of the names of certain members of this House

in the *Gazette*, thereby extending the time for filing petitions against them. In every respect, he has been guilty of gross neglect of duty, and there is but one inference to be drawn from the proposal of the Government to increase his salary; that is, that he entered into a conspiracy with some member of the Government to deliberately violate the law, and is now about to be rewarded for that disregard of duty and violation of the law by the increase about to be made in his salary. I protest against this attempt to reward a public officer, by doing that which would justly secure his dismissal in any other representative Government in the world.

Sir CHARLES TUPPER. Perhaps the hon. member for Wellington (Mr. McMullen), who has just risen will, before he proceeds with his remarks, allow me to explain that when the Estimates were prepared, when this gentleman was placed in his position in the Privy Council, none of the circumstances referred to had taken place. This is simply, as the hon. member for Bothwell knows, carrying out the arrangements that were made, quite irrespective of anything complained of. I do not want to take part in the discussion. The hon. gentleman has had the opportunity of stating his views in the most emphatic terms to the House, and ought to be contented with that. He should not feel it necessary now to take up time further, because this arrangement for the transfer of Mr. Pope and this increase in his salary, in connection with the largely increased duties devolving upon him, all took place long anterior to the acts complained of. I would rather the hon. gentleman would let the matter rest before the country on the very strong statements he has made, and the very strong opinions he has expressed, than to take up further time. He will understand it is necessary, in framing the Estimates, to carry out decisions of the Orders in Council. These were anterior, and not subsequent, to the act complained of, and could be, in no sense, the reward of anything Mr. Pope did or neglected to do.

Mr. MILLS (Bothwell). The hon. gentleman knows very well that it does not devolve upon the Government to increase the salary. The Government recommends the increase, and the responsibility of granting it lies with the House. I am not complaining that a worthy officer has had his salary increased, but I am complaining that, in the face of a violation of the law on the part of this officer, known to every gentleman in the House, the Government should come down with a proposition to increase his salary. I notify the hon. gentleman, that when concurrence is asked for, I shall take the opinion of the House on the conduct of this officer and the proposal of the Government.

Sir CHARLES TUPPER. The hon. gentleman is quite in his right to do that.

Mr. McMULLEN. It is unfair to ask the Opposition to consent to this increase, when we are deeply incensed on account of the manner in which this gentleman—

Mr. MILLS (Bothwell). Gentleman,—scoundrel.

Mr. McMULLEN,—has discharged the duties of gazetting the returns. We have expressed our indignation on previous occasions, yet, in the face of that expression, the Government asked the Opposition quietly to consent to an increase of the salary of this officer. We cannot quietly consent to that; we are bound to reject the proposition, although this increase was decided on before this officer became guilty of the neglect complained of. Such a plea is not sufficient to warrant our accepting, at the hands of the Government, this proposal to increase the salary of a man who has committed a gross injustice against members of the House on this side.

Sir CHARLES TUPPER. The hon. member for Bothwell (Mr. Mills) has just stated that he intends, when concurrence

is asked and the Speaker is in the Chair, to take the sense of the House on that vote, and that will give every gentleman in the House an opportunity of placing himself on record in reference to this item; so that no one is asked quietly to concur in it, because there will be nothing to prevent any hon. gentleman from placing himself on record at a subsequent stage.

Mr. McMULLEN. Our experience in regard to concurrence is that these things are rushed through very rapidly, and at that time of the Session members are anxious to get away. I say that now is the time for us to emphasise our indignation, when the Government are asking us to give this increase of salary to this man.

Mr. PLATT. The Finance Minister has been admirably successful during this Session in putting off discussion on various matters, and so we will go on until the close of the Session will arrive and everyone will be in a hurry to get away and desirous to say nothing. I do not blame the Finance Minister for hastening the close of the Session, but there are matters which must be discussed, no matter what the anxiety of members may be to get away to their homes. This is one of the matters upon which members on this side feel very keenly. The Minister of Finance tells us that the transfer of this man was made before the acts which are complained of took place, but the proposal to pay this gentleman for those acts, and for the service which he rendered to that party, is made now, and now is the time to discuss it. I will take the opportunity on concurrence to register my vote in favor of the proposition which will be made on this side of the House. I only regret that it is this side of the House alone who feel themselves called upon to speak on this important matter; for, if it has come to this, that this country and this Parliament are prepared to keep in place and in power, and to pay an increased salary to an officer who has glaringly and flagrantly violated the laws of the land, who has, I may say, violated his oath of office, and has perpetrated upon this House an insolent letter and a lying return, simply because he has been instrumental in facilitating protests against members on this side of the House and relieving those on that side from that sort of disturbance, it is time to speak out. I feel that very strongly. I feel that in my own case, because mine is the most monstrous case of all those on record. I feel for the integrity of the Civil Service of this land, when an officer who is dignified by the name of the Clerk of the Crown in Chancery has been guilty of such gross and intolerable wrongs, as this gentleman has been guilty of, and when this Parliament, instead of censuring him, is called upon to increase his salary because he has been guilty of these acts of perfidy.

Mr. DAVIES. The Finance Minister seems to think that, because the Government agreed to increase this gentleman's salary three or four months before these acts which are complained of were committed, we ought to say nothing about it; but, even supposing the Government were actuated by the highest and best motives in increasing his salary at that time, motives which could not be impugned, now, after the acts of official indecency of which the Clerk of the Crown in Chancery has been guilty, the Government should in honor withdraw the proposition from the House as to this increase of salary which they originally agreed to give. They cannot hope that this vote will pass in silence, or that the Opposition would readily agree to it; and I, for one, take this opportunity to express my regret that the Government should still cling to an agreement which originally might be all right; but which has become wickedly bad after the indecent exhibition that the Clerk of the Crown in Chancery has made of his partisanship in publishing the returns of members elected to this Parliament.

Sir CHARLES TUPPER.

Mr. CHARLTON. I presume that the Government are of the opinion that the state of apathy that exists in public sentiment is so great that it is impossible to arouse it or outrage it. They certainly have some reason for supposing that after the last General Election, in view of the record with which they went to the country. But it is a sad commentary on the position of things in this young country, that an outrage—I cannot designate it by any less term—is perpetrated in this way without their resentment. Here is an officer of the House who acted in a most partisan and in a most unjustifiable manner, who purposely delayed the returns of a great number of members on this side of the House, who used the greatest diligence and promptitude in returning members on that side of the House, and the result of his action in delaying the returns of members on this side, and promptly gazetting those of members on that side, is that a number of petitions have been lodged against members on this side which would never have been lodged if the returns had been published according to the date of their reception. This individual, who has failed to discharge this duty according to his obligation, deserves his own discharge from the position he holds. He should be ignominiously turned out of office. If we are to have a fair discharge of the duties of any office on the part of its incumbent, we must demand the faithful and honest discharge of his duties, and, if, in place of taking this course in regard to officials, we are to increase the salary of one who has evidently played into the hands of the Government, if we are to improve his official position and, instead of discharging him, we are to increase his salary, there is no guarantee whatever that the Civil Service will not become rotten and polluted. I regret in the first place that the Government made use of this official as they did, and I regret to see the effrontery, the hardihood and the defiance of every sentiment of public rectitude which leads them to propose to increase the salary of an official such as this.

Mr. PATERSON (Brant). I think we have had opportunities of seeing that the Government intend to punish certain members of the Civil Service for manifesting their preference for a candidate on this side of the House. I understood the Finance Minister to say that members of the Civil Service might quietly vote, but that anything further would be beyond their duty and would be worthy of reproof. Notwithstanding that he holds those views, here we find an official of the House who not only endeavors but does tamper—for it is equivalent to that—with all the electoral returns from this Dominion. It is not disputed that he has done this. He has been asked to assign his reasons, and he has written a letter, and his letter is worse than his action, and his statements have been alleged by hon. members to be absolutely false statements, and now it is proposed to do what? To discharge him? To reprimand him? No, but to raise his salary and to improve his position. The Finance Minister cannot expect that vote to go through the House quietly. I agree with the hon. member for Prince Edward (Mr. Platt) that it is lamentable, in regard to our public affairs, that a protest against conduct such as that should only come from one side of the House. It seems to me that it is a question on which members on both sides of the House are interested; it seems to me that the liberties of the House have been infringed upon by that officer, and that hon. gentlemen on that side, as well as upon this, should agree to refuse to stamp with the approval of the Government the conduct of which he has been guilty.

Mr. WILSON (Elgin). As I did on a former occasion, I desire now to enter my protest against this increase of salary, and I do so because I think that if ever there was a transaction that might be regarded as a disgrace, it is the conduct pursued by Mr. Pope. But while Mr. Pope is censurable, we have appealed to the Government time and again to say whether they are directly or indirectly con-

nected with this transaction. And yet we are told to-day that we ought not to discuss this matter. I say that if Mr. Pope was advised to pursue the course that he did by the Government, or if he acted under the direction of the Government, I say the Government should be manly enough, straightforward enough, bold enough, to say that they advised him, and they are now increasing his salary for the purpose of compensating him for doing their work. It is very likely this is the case. Perhaps we are too harsh upon this man Pope, perhaps he was only doing the bidding of the Government, that he was only carrying out the directions of his superiors, and that now he wants to get a larger salary than he was getting before. That is only reasonable that he should expect such. It does seem like it, because the Government still cling to the idea that this man, on account of the noble work that he did for them in gazetting the returns of their friends very early and thereby shutting the Opposition off from a chance of protesting, performed useful service to the Government party. If he did I do not know but what the Government ought to pay him out of their own pockets. If he performed good work for them he certainly did not perform good work for us, and we, as an Opposition, and the country as a whole, ought not to be called on to pay for doing such work. Sir, I say this is certainly a disgraceful transaction on the part of this man Pope, and on the part of the Government. A transaction of this kind should be condemned by every member, whether he be on one side of politics or the other. If the same course is pursued in the future, how can any member be sure that his rights will be guarded and protected in this House? I regret exceedingly that the Government have not the fortitude to shoulder the responsibility themselves—as I believe now that they really are responsible for the transaction that occurred in gazetting the members. I say again that I shall be ready to vote, not only against the increase, but I shall be ready to vote condemnation to the men who advised a course of that kind to be pursued by Mr. Pope.

Mr. MULOCK. There is a phase of this case that the Government have not cleared up. Hon. gentlemen will remember that when attention was called to the unfair gazetting, the Government stated that the clerk would probably be able to afford a satisfactory explanation. During the course of the debate, a motion was made to refer the matter to the Committee on Privileges and Elections, and the Government took the ground that before that reference was directed, the officer should have an opportunity of offering his explanations. He submitted an explanation to this House which I think no hon. gentleman in this House accepted as representing the facts of the case. I am perfectly convinced in my own mind that from the evidence submitted by the returning officer himself, as well as the evidence of hon. gentleman in this House, that this officer deliberately laid upon the Table of this House a communication absolutely and intentionally false. He offered explanations that could not commend themselves to the judgment of any man. He endeavored to prove that all that happened was the result of accident. Why, the doctrine of chances would not admit of any such results as came out in his gazetting those returns. The Government, therefore, knowing what they do know, causing him to do as he did, knowing that he acted designedly, as he did, have succeeded up to this moment in preventing a proper enquiry being made into these charges. The Government, therefore, are the parties responsible. This man is but a creature in their hands who has been obliged, under their pressure, not only to violate his oath of office, but afterwards to render a false account to the House of the reason why he violated that oath of office. Therefore I think that, late as it is in the Session, if the Government has any regard for the facts, if they wish to remove this charge from their own shoulders, and say

it was an accident rather than the result of design, then let them refer this matter to a proper committee; let us examine under oath the persons who are cognisant of the facts; and then, and not till then, place this man in a higher position by further rewarding him with public money. If the Government refuse that, if they simply say that no enquiry shall be made, if they say to their followers in this House: It is not for you to reason, but to vote as you are directed, you have but to endorse this act—if you choose to say that, then I would like to know where is the independence of Parliament? Why, it is complained already, I hear the complaint made by members on the opposite side of the House, but outside this House, that they are not allowed freedom of action to-day.

Some hon. MEMBERS. Name.

Mr. MILLS (Bothwell). Legion.

Some hon. MEMBERS. Name, name.

Mr. MULOCK. I can name them. You, yourself, the hon. member for Vancouver (Mr. Gordon) himself, I am perfectly satisfied, is not a free agent in this House.

Mr. SHAKESPEARE. The hon. gentleman states what is utterly untrue.

Mr. MULOCK. I congratulate the hon. gentleman on his independence then, voting, as he does, against his own country whenever he gets a chance, because he is told to do so.

Mr. SHAKESPEARE. I deny the statement.

Mr. MULOCK. The hon. gentleman may deny the statement—

The CHAIRMAN. I do not think that language is admissible.

Mr. MULOCK. Very well, I will not violate the rules of debate. But Sir, if this hon. member—

Mr. GORDON. I call the hon. gentleman to order. He spoke of what the member for Vancouver was doing. Does he mean me?

Mr. MULOCK. I am extremely glad to think this hon. gentleman does not desire to accept any responsibility for the action of the last speaker.

Mr. GORDON. Not for what you have done.

Mr. MULOCK. I am extremely glad to think that none of these hon. gentlemen desire to be put in a position by their votes—I will not say their utterances, for they do not indulge in utterances to support their unsound votes; but they do not desire to be discovered in the position which they occupy. Now, in this particular transaction, the Minister of Finance calls on his faithful henchmen to rise and endorse what the Government have done. He asks them to endorse acts that have not been investigated. The Minister of Finance asks every member of his party in this House to vote before there has been a trial, to endorse beforehand, to whitewash beforehand the conduct of an officer which has been *prima facie* against his oath of office. Well, if hon. gentlemen are so forgetful of their duty to their country as to do what they are told to do against their best judgment, then I think I am safe in saying—

The CHAIRMAN. I think that language is not permissible.

Mr. MULOCK. I withdraw the remark, Mr. Chairman. I extremely regret that the theme is such that I cannot say that there is no foundation for the remark. On the contrary, this and many other actions have convinced the country, if they have not convinced the House, that the Government

here to-day dictates to their followers instead of discussing with them. I, therefore, think that before this vote is carried, the only right thing to do is to submit the conduct of this officer to a tribunal which will take evidence under oath; and when we have the First Minister in the witness box, when we have the Clerk of the Crown in Chancery in the witness box, when we have the express officers and the officers of the Postal Department in the witness box, and the books of the Post Office Department before the committee, then I say, on my responsibility as a member here, that we will prove the falsity of the explanation, and, I think, if the truth is told we will prove that the real criminals occupy places on the Treasury benches.

Department of Secretary of State, salaries..... \$1,350

Sir CHARLES TUPPER. Mr. Taché was appointed from 1st July, 1886, and no provision was made for his salary until now, consequently this amount is required to be voted.

Mr. CHAPLEAU. Mr. Taché was a temporary clerk at \$2.50 a day and has been acting as private secretary to the Secretary of State since five years. It is customary when a private secretary has been acting for a long time in a satisfactory manner, that he should be given a permanent position. The salary of this officer will be increased from \$915 a year which he has been receiving, to \$1,100 a year, which simply means the \$50 annual increase for four years, that he has not received such increase as the permanent clerks.

Mr. MILLS (Bothwell). This is a very improper proposal. The hon. gentleman knew five years ago the duties which Mr. Taché was undertaking to discharge, and he ought to have asked for a vote at that time for the amount, and not have waited five years.

Mr. CHAPLEAU. The hon. gentleman does not understand the matter. The gentleman was appointed as supernumerary clerk and private secretary. After having served a certain number of years and performed his duties faithfully, it is the custom to appoint a private secretary as a permanent officer, otherwise if the Minister disappeared injustice might be done. The same course has been followed now as was pursued when hon. gentlemen opposite were in office, and I might quote the name of a case. I only have done this because it is customary, and a due reward to a private secretary who has done his duty. It does not interfere with the organisation of the Department.

Mr. MILLS (Bothwell). Do we understand that it is simply the appointment of another clerk in the Department of the Secretary of State and the payment of his salary at \$1,100 a year, while before he was a temporary clerk at \$900?

Mr. CHAPLEAU. That is the effect of it.

Mr. MILLS. Then he receives as private secretary, how much?

Mr. CHAPLEAU. \$600.

Mr. DAVIES. Has he ceased to be private secretary?

Mr. CHAPLEAU. No. With respect to the amount of \$100 for increase of salary to L. C. Labelle, I may say that this was voted last year. Mr. Labelle passed an examination on four optional subjects—I may say to his credit, without any previous preparation whatever—in type-writing, stenography, book-keeping and English composition. Last year there was voted for stenography that sum of money, but the Auditor General refused to pay it because the vote had not been by name. If hon. gentlemen opposite will refer to last year's Estimates they will find a vote for stenographer \$762, which was intended for Mr. Labelle, and which he did not receive. There is no increase.

Mr. MULOCK.

Department of Justice, salaries.....\$506 25

Mr. CHARLTON. I desire to ask the Government a question, although it is not strictly in connection with this item. I understand that the librarian of the Supreme Court receives \$600 a year, and it strikes me if he is an official capable of discharging his duties he receives very small pay for these services. My attention has been called to it, and I merely mention the matter that the Government's attention might be called to it. The position is a rather responsible one.

Geological Survey (allowance to Dr. G. M. Dawson)...\$1,000

Mr. WILSON. I do not intend to object to this item, or to find any fault with it. I only call the attention of the Minister of Marine to the different treatment rendered this man from what he rendered to the unfortunate young man, James Fitzgerald, mate of the life-boat crew at Port Stanley. Although he performed the duties of captain, he has up to this time received no consideration at the hands of the Government. I call the attention of the Minister of Marine to the different treatment he rendered in that case, to what is rendered in other Departments.

Mr. MILLS (Bothwell). I suppose Dr. Selwyn, the director of the Survey, was absent from the country for eleven months, and that Mr. Dawson acted as his substitute?

Sir CHARLES TUPPER. Yes.

Mr. MILLS (Bothwell). Of course Dr. Selwyn's pay went on the same as before, and it is now proposed to give another member of the Geological Survey \$1,000 extra. What extra work did Mr. Dawson do that entitles him to \$1,000 extra for his services?

Sir CHARLES TUPPER. Mr. Dawson is a man of exceptional ability, and, in the absence of Dr. Selwyn, was responsible for the management of the whole department. It is not proposed to give him all the difference between his salary and that of Dr. Selwyn, but to give him \$1,000 as compensation for the additional duties and responsibilities which devolved on him during the absence of the head of the department.

Mr. MACKENZIE. Was he senior officer?

Sir CHARLES TUPPER. I think so.

Mr. CHARLTON. What was his salary?

Sir CHARLES TUPPER. The salary of a first class clerk, I think.

Mr. MULOCK. I think the Minister of Finance is in error in saying that Mr. Dawson was senior officer. I think there is another officer who is senior as regards the number of years' service, and I say nothing of seniority in any other regard. Is it the rule to promote to such positions, during the temporary absence of the head, those who are subordinates?

Sir CHARLES TUPPER. The practice is, I think, to select for the discharge of duties of this kind the gentleman who enjoys to the largest extent the confidence of the chief of the Department, and upon whom he can with the greatest confidence impose those duties which he would otherwise have to perform. I do not know that it always follows that the senior officer or head clerk should be selected.

Mr. MULOCK. Nor should I say that it should always follow, and in this case I have no adverse criticism to offer against Mr. Dawson, for what little information I have about him is most favorable. But if there are others equally fit, other things being equal, I think the seniors should not be passed.

Sir CHARLES TUPPER. I agree with the hon. gentleman that that should be the rule, as otherwise friction and dissatisfaction arise.

Department of Inland Revenue, salaries \$1,109 50

Mr. DAVIES (P.E.I.) I think the present is a good time to have an explanation from the Minister of Inland Revenue, as to some matters in his Department which were left over, and which the Minister of Finance said would be explained afterwards. Now, I see that in addition to the commissioner and assistant commissioner and chief clerk and the chief clerk's secretary, we have nine first-class clerks, a thing which does not happen in any other Department, and which, in the absence of any explanation, looks very much like a scandal. That Department is not a very large one; it is not possible it can require nine first-class clerks, especially as we have not had near that number for the past eight or ten years. As the increase has been caused lately, I think the House and the country are entitled to a full explanation.

Mr. COSTIGAN. The hon. gentleman forgets the fact that the Department of Inland Revenue comprises more branches than any other Department of the Government. The assistant commissioner reports with regard to those nine men that their work is such as properly devolves upon first-class clerks, and that the men who perform those duties are such as to entitle them to that rank, which they have attained, by promotion, under the law and regulations. In that Department we have the collection of excise, the collection of canal tolls, adulterations of foods, drugs, &c, weights and measures, the culling of timber, the collection of tolls on slides and booms, all these branches requiring their own set of officers and all organised under different Acts of Parliament.

Mr. DAVIES (P.E.I.) I am surprised at the explanation of the hon. gentleman for it amounts simply to this: That he has nine first-class clerks because he has nine, and because the assistant commissioner has made a report that it is desirable that some of them should be promoted. The hon. gentleman refers to the different branches of his Department, but there are not more branches than there were last year, and besides, it does not follow that because you carve up a Department in that way, you necessarily must have so many first-class clerks if others can do the work. According to the Auditor General's report for 1885 we had only three first-class clerks in the Inland Revenue Department, and here in one year we have these six clerks added. I say that such a proposition, with regard to a Department which is considered one of the smaller Departments of the service, is one for which I think the House is entitled to a clear and detailed explanation. I submit that if any information on the subject is contained in the report of the commissioner, that report should be presented to the House. Here we are paying nine first-class clerks the sum of \$14,125. And the first-class clerks in 1885-86 were paid \$4,625, an increase of \$10,000.

Mr. COSTIGAN. The hon. gentleman states that it was not done in the last year or the year before—for very good reasons. I stated that the duties these men performed were duties they were entitled to perform as first-class clerks, but inasmuch as they had not passed the promotion examinations, they could not get the benefit of their standing in the way of salary; but after having passed the examination, they are entitled to that.

Mr. DAVIES (P.E.I.) Does the hon. gentleman necessarily appoint a man when he passes the examination, whether there is a vacancy or not?

Mr. COSTIGAN. I told the hon. gentleman that these officers were considered as ranking as first-class, but they did not get the rank until they passed the examination.

Mr. PLATT. The explanation given by the hon. gentleman simply shows that the Civil Service Act of this country is a nuisance and an expense to the country. I have another matter which I wish to bring to the attention of the Minis-

ter, and I think it is due to him that he should have an opportunity of explaining it. I refer to a change that was made in the county town of the county I have the honor to represent, the town of Picton. He knows what I refer to—the appointment of an Inland Revenue collector for that town. The history of the case is simply this: Mr. Ross, a son of a late member of this House, the Customs collector of that town, and one of the most efficient officers of the outside service, was made collector of Inland Revenue.

Mr. COSTIGAN. The hon. gentleman is not stating the case altogether correctly.

Mr. PLATT. The hon. gentleman can make whatever corrections he may wish after I say what I have to say. At any rate, Mr. Ross performed the duties for the Revenue Department which are now performed by another individual, and I wish to give the hon. gentleman an opportunity of explaining why a change was made. In our section of the country Mr. Ross is considered an exceptionally good officer, and no fault whatever was found with his conduct; but it happened that a near relative of an old member of this House was anxious to secure some position, and I think for the paltry sum of \$100 or \$150, a collector of Inland Revenue was appointed for that town. I have yet to learn that the gentleman who received that appointment has passed any examination for the Civil Service. I do not think that he is either a first, a second or a third class clerk. Why was this change made? Was it simply because a young man had received a certificate of qualification, or through political influence, or because the necessity of the service required it to be done?

Mr. COSTIGAN. The hon. gentleman is a little more sarcastic than usual in dealing with a question of this kind; but I think I can set him right. In the first place, Mr. Ross was not an Inland Revenue officer under the Act. The practice of the Department, in small communities where a limited business is done, instead of appointing salaried officers, has been to allow the collectors of Customs to collect our revenues, and give them a percentage. They are not appointed by Order in Council, but they are simply allowed by the Customs Department to perform the duties. The officer who has been appointed is a sub-collector, and he is entirely under the control of the Department, without the increase of a dollar's expense to the country.

Mr. PLATT. Did he pass the examination?

Mr. COSTIGAN. He did not require to pass an examination. If the hon. gentleman reads the Act, he will find that a sub-collector can be appointed without examination.

Mr. MILLS (Bothwell). One would suppose when the hon. gentleman has nine first-class clerks and a large number of assistants in his Department, that he would be able among them to get prepared an index to the Inland Revenue Act, without making a special provision of \$150 for that purpose. The hon. gentleman will require, I think, to give some explanations of that.

Mr. PATERSON (Brant). What position does Mr. Ger-ald occupy in the Department?

Mr. COSTIGAN. He is assistant commissioner here as well as inspector of tobacco factories, but he is able to devote the greater portion of his time to the Department here as assistant commissioner.

Mr. PATERSON (Brant). I think he is a very capable officer, and I am very glad he is promoted if promotion was necessary; but did that necessitate the appointment of another inspector?

Mr. COSTIGAN. No; he discharges both duties at the increased salary, and we save the other salary.

Mr. MILLS (Bothwell). Will the hon. gentleman say who Mr. Heron is, and why he makes special provision for his preparing an index to the Inland Revenue Act?

Mr. COSTIGAN. Mr. Heron is an officer in the Department, who devoted his time in extra hours for a couple of years to this work.

Mr. DAVIES (P.E.I.) Two years to prepare an index to one Act and some Orders in Council?

Mr. COSTIGAN. I say he devoted a portion of his extra time extending over one year at any rate, and the index was submitted to the commissioner. Another index was also prepared, but this was found to be the better of the two, and on Mr. Miall's report, I recommended this payment, which I thought was a very reasonable one. We had not nine first class clerks, as the hon. gentleman says.

Mr. MILLS (Bothwell). Are we to understand that there was no index to the hon. gentleman's Act until this was prepared?

Mr. COSTIGAN. There was, but there was not so complete an index.

Mr. DAVIES (P.E.I.) If the hon. gentleman had not nine first-class clerks, he had twelve second-class clerks, and I do not think it is beneath the dignity or beyond the powers of a second-class clerk to make an index to a statute.

Department of Agriculture (allowance for the Secretary of the Department for performing the duties of deputy head)..... \$700

Mr. MILLS (Bothwell). Explain this.

Mr. CARLING. I think the explanation is given in the estimates. Mr. Lowe, the Secretary of the Department, discharged the duties of the deputy during his absence through illness.

Mr. MILLS (Bothwell). Is the deputy, Dr. Taché, unable to be in his place?

Mr. CARLING. He is. He has had a relapse.

Mr. MILLS (Bothwell). Are we to have a renewal of this demand?

Mr. CARLING. I think not. It is probable Dr. Taché will not be able to resume his duty and will be superannuated.

Mr. MILLS (Bothwell). The manner in which the statistics have been prepared by Mr. Lowe, and the accurate and minute information he has, from time to time, given to the hon. gentleman and his predecessors in office, the extreme accuracy with which his figures have been verified by the report of the census commissioners, shows that this officer is entitled to generous treatment at the hands of the House. There can be no doubt on that point, and I am sure the right hon. gentleman must have a very great deal of pleasure in asking the House to vote \$700 in addition to his ordinary salary, as the pains that Mr. Lowe has taken to inform his chief accurately and not to mislead him, have served so useful a purpose to the Government, especially during the past two or three general elections.

Mr. JONES. I would ask the First Minister that, as a good many members desire to attend the levee of His Excellency, the House should adjourn at 5:30 instead of at 6.

Sir JOHN A. MACDONALD. Certainly.

To pay his Honor James P. Wood for services of Deputy Judge of the County Court of the county of Perth from the 1st November (1886) to the 13th January (1887). Order in Council. \$397 84

Mr. TROW. Will the hon. gentleman give some explanation in reference to that?

Mr. THOMPSON. The fact is that the county court judge obtained leave of absence and sent in his resignation,

to take effect when his leave would terminate; and this is for the salary of the deputy judge between the time the judge got leave of absence and the time his resignation took effect.

House of Commons, salaries \$4,800

Mr. MILLS (Bothwell). What additional sessional messengers are employed, and who are they?

Mr. SPEAKER. When I assumed the duties of Speaker, I found several employes extra. On enquiry, it was represented to me by the Sergeant-at-Arms and the employes who have charge of that department, that the work had increased very much on account of the increase in the number of members and the large increase of correspondence, &c., and that it was usual to appoint extra messengers. I thought it would be better to make them permanent sessional messengers, to be paid out of the regular fund, so that the House would know exactly the number employed. The same explanation applies to the pages. Every member knows that the work performed by these boys is very arduous. The pages are also necessary for the service of the Press gallery and the *Hansard* staff, and I recommended to the Internal Commission to have them placed on the permanent staff.

Mr. MILLS (Bothwell). How many messengers are there altogether?

Mr. SPEAKER. 45; the number before was 39 permanent, but the number actually employed was 45.

Mr. MILLS (Bothwell). How many extra clerks are there compared with last year?

Mr. SPEAKER. I could not say what number were employed last year, but the same number are employed this year. No additional amount is asked for that service.

Mr. MILLS (Bothwell). Then, Mr. Speaker will see that there has been no saving. We have the same number of extra sessional clerks as before. We require the same expenditure to meet that, and we have eight more permanent messengers than we had before.

Mr. SPEAKER. These permanent employes only replace some who were employed temporarily. They were paid out of contingencies. There is no increase in the amount necessary for the service.

Mr. MILLS (Bothwell). Then there is a corresponding diminution in the number of extra messengers.

Sir CHARLES TUPPER. Hear, hear; that is so. They are only put in another form.

Mr. DAVIES (P.E.I.) I understood the Speaker to say that there was an increase, but not a material one.

Mr. SPEAKER. There is an increase in the number of permanent sessional messengers. There is no increase in the number of clerks, but only in the permanent messengers and charwomen, and these were already employed.

Mr. DAVIES (P.E.I.) No one would object to the increase for the pages, because we know that they are fully employed. I have only been here some four or five years, but it seems to me that we have four or five times as many messengers as are required. No doubt they are desirous to discharge their duties, but, when we have forty-five men in the room downstairs as messengers of this House—that is a messenger for every five members of the House—and making allowance for those who are required for the service of special officers, my experience is, as the experience of every member who has spoken is, that there are three times as many employed as are required.

Mr. SPEAKER. If the forty-five messengers were in that room below, it would be found that the room was not large enough for them, but it must be remembered that at every door of this Chamber there must be a messenger, there must be a messenger attached to the clerk's office,

two are employed in the reading room, there is another for myself, and a couple of servants are employed there, and there is a messenger for the accountant for doing the bank business; and I can tell the hon. member that there are not too many, because hardly twelve of them are left to perform the outside messages for the members. I think the members would find it rather hard if, when they wanted a messenger to be sent to the city on their business, there was no messenger to be found.

Extra service by members of the Civil Service in the office of the Clerk of the Crown in Chancery and in the Department of the Secretary of State...\$127

Sir CHARLES TUPPER. This vote is for clerks employed in preparing electoral lists who could not be paid by the Clerk of the Crown in Chancery as they were members of the Civil Service. The pressure was so great that clerks in other Departments were utilised, and the only way in which they could be paid was by naming them here.

Committee rose and reported resolutions.

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

After Recess.

House again resolved itself into Committee of Supply.

Library of Parliament.....\$1,815

Mr. MILLS (Bothwell). What work is this of Mr. Barthe of which we are asked to pay for fifty copies?

Sir HECTOR LANGEVIN. It is the *Souvenir d'un demi-siècle*, by Mr. Barthe, who was a member years ago, the brother of the one who was here eight or ten years ago. It is a work which we considered we should have for exchanges.

Sir RICHARD CARTWRIGHT. What is the nature of it?

Sir HECTOR LANGEVIN. It is his souvenirs of the history of Canada for half a century.

Sir RICHARD CARTWRIGHT. Which half of the century is it?

Sir HECTOR LANGEVIN. I think it comes up to about ten years ago, or thereabouts. I am not quite sure.

Sir RICHARD CARTWRIGHT. It is rather a large price to pay for a work of that kind.

Mr. MILLS (Bothwell). I would ask whether, in our exchanges from the United States, England, France, and so on, we receive anything but public documents. Do we receive exchanges of literary or historical works published in those countries?

Sir HECTOR LANGEVIN. I am not sure, but I remember that we have received from France a number of books that were not public documents.

Expenditure under Franchise Act.....\$150,000

Mr. JONES. Is that for the revising barristers?

Sir CHARLES TUPPER. That is for the Franchise Act; for the whole revision of the franchise, the revising barristers and the clerks, and everything of that kind.

Sir RICHARD CARTWRIGHT. We ought to know, surely, what the amount is going to be. The Government must have made up their minds what amount is to be paid to the several judges and other officers who acted as revising barristers. We see payments on account of \$200, \$400 and \$500, as the case may be, for one or more constituencies; but, now that you are coming down for an amount of \$150,000, the House is fully entitled to know what actual allowance has been made to these gentlemen for their labors.

Sir CHARLES TUPPER. It has not been finally settled.

Sir RICHARD CARTWRIGHT. Well, Mr. Chairman, I think it ought to be settled. More than a year has

elapsed since these gentlemen began their labors, and surely in that time the Government could make up their minds as to what is to be paid to them.

Sir CHARLES TUPPER. I may say that, on concurrence, we will give the information. The matter was, to a certain extent, tentative, as the hon. gentleman knows, down to the period to the elections. It was important to see its working a little before we finally decided what the remuneration of these parties should be. I quite admit the force of what the hon. gentleman says, and I think we will be able, to-morrow, to give the information he asks for.

Mr. MILLS (Bothwell). I think it is absolutely necessary that the Government should give the House this information. The hon. gentleman was not here when the Franchise Bill was introduced, but at that time there was a provision made, and a resolution was on the paper, providing what the salaries should be. The Prime Minister, who had charge of the Bill, abandoned that clause, and said he would make provision in the Estimates. When the Estimates came down he said it would not be necessary to make provision for that year. Then, last year we made a motion for this information, and it was promised by the Secretary of State and others. When the Session came to a close a certain sum was asked for, and we were told the Government had not made up their minds as to what the exact cost would be. Now, this is the third Session from the time the Bill was carried, and the hon. gentleman will see that this House would be altogether wanting to its duty to itself and country if it made any further appropriation without knowing what the actual cost for the year was going to be.

Sir CHARLES TUPPER. We are not asking for any further appropriation. This is to cover a Governor General's warrant for money that has already been appropriated in that way.

Mr. MILLS. There are \$50,000 in addition to the Governor General's warrant.

Mr. JONES. Have the Government before them any claims sent in by the returning officers that were made by the revising barristers for furnishing lists during the late elections?

Sir CHARLES TUPPER. Yes.

Mr. JONES. I presume they will amount to a very considerable sum?

Sir CHARLES TUPPER. Nothing more than will be covered by this amount.

Mr. JONES. This amount, I understand, the hon. gentleman has already paid out.

Sir CHARLES TUPPER. No, I did not say that.

Mr. JONES. Then the Governor General's warrant was taken for money that was not required?

Sir CHARLES TUPPER. The Governor General's warrant was \$100,000 and this is \$50,000 additional.

Mr. JONES. Is it contemplated to pay the revising barristers' accounts which have been sent in for furnishing the electoral lists to the returning officers? In the county of Halifax I have a copy of the bill the revising barrister charged to the returning officer for furnishing the electoral lists, which bill is \$174.

Sir CHARLES TUPPER. Bills are not necessarily paid because they are sent in. They are all being revised, and a scale will be adopted which, I hope, to be able to lay before the House to-morrow.

Mr. JONES. I may remark that if such an account as this is sent in from every riding in the Dominion, the total amount will be a very large sum.

Sir CHARLES TUPPER. Halifax is an extravagant place.

Mr. JONES. I think the hon. gentleman has found it so sometimes.

Mr. DAVIES (P.E.I.) I think the matter is of sufficient importance to entitle the House to some statement so that we may discuss the principle on which the Government proposes to go in paying these officers.

Sir CHARLES TUPPER. I have said that, to-morrow, I will bring that before the House.

Mr. DAVIES (P.E.I.) The hon. gentleman knows that on some lists there may be only 2,000 or 3,000 voters, in other counties the number may come up to 9,000 or 10,000 voters; and the labor and work required of the returning officer in a large county may be three or four times as great as that required in a smaller county. The Government should be prepared to regulate their scale of payment according to the work performed.

Mr. McMULLEN. We ought to have some understanding in regard to the amount that is going to be paid. Three different Sessions this question has been before the House. When the Bill was introduced, we stated on this side that we thought the operations of the Franchise Act would cost the country \$350,000 or \$400,000. Hon. gentlemen opposite appeared to pooh-pooh the idea, and ridicule the Opposition for making such an erroneous estimate of the probable cost. Now, the thing has been up Session after Session, and I think before this item passes, we should have some distinct understanding as to the amount it is going to cost each constituency in the whole country.

Arts, agriculture, and statistics.....\$151,000

Sir CHARLES TUPPER. To pay C. C. Chipman for special service in connection with the Colonial and Indian Exhibition, \$1,000—I may say that Mr. Chipman is the accountant of the High Commissioner's office in London. He was appointed accountant of the exhibition, and there was not a single shilling paid out in London in connection with the exhibition which did not come under his close personal supervision. A great deal of time was necessarily occupied from early morning until late at night, during which time Mr. Chipman was assiduously engaged in the discharge of these duties. The exhibition was very large, and in order to keep it under proper control, I arranged that not one single shilling should be paid for any service in connection with the expenditure that did not pass through his hands, and that did not have his personal scrutiny. When it became necessary for me to leave the exhibition and come out to this country in connection with the proposed Imperial Institute, Mr. Chipman was charged, in addition to these duties, with the general oversight and management of the exhibition, and those duties were performed in a very painstaking and admirable manner; so much so that I found upon my return that everything had gone smoothly with all the employés, with a great number of exhibitors, and with all the officials connected with the Department in London. I cannot speak too highly of his devotion to the public service in connection with this work, or the ability that he evinced in discharging his duties.

Mr. JONES. What is his salary in the Department?

Sir CHARLES TUPPER. About \$2,200 altogether. I felt, therefore, warranted in asking the House under the circumstances to vote a bonus, as it were, of \$1,000 for his special services. I am quite certain any hon. gentleman who had an opportunity of visiting the exhibition—and there were a great many public men and exhibitors who observed what had been done—would bear testimony to the zeal, assiduity and ability evidenced in the performance of those duties.

Mr. McMULLEN. Did he draw the double salary?

Sir CHARLES TUPPER. He was still accountant, and an assistant under his direction was engaged in carrying on
SIR CHARLES TUPPER.

the duties in the High Commissioner's office; but he was responsible as regards those duties because he had to supervise them.

Sir RICHARD CARTWRIGHT. With respect to the item, further amount required for the Colonial Exhibition (Governor General's warrant) \$125,000, I would ask what was the original sum voted?

Sir CHARLES TUPPER. I do not remember the sum voted. Of course the expenditure has been a very large one. It would have been impossible to have had Canada represented on so large a scale, and so efficiently, without a very large outlay. The expenditure in Canada was \$85,493.84. There is estimated as the amount to complete the expenditure in Canada: freight, \$56,500, and miscellaneous amounts, \$5,000—in all \$61,500. That will make \$146,999.94 of expenditure in Canada. Of that sum \$40,000 represents freight to London, and \$16,500 return freight; in all \$56,500. The expenditure in London amounted in all to \$116,469.90, and there are no outstanding accounts; every shilling of expenditure there has been paid and the accounts have been closed. The total expenditure in connection with the exhibition in Canada, for freight there and back and in London, was \$263,463.84.

Mr. MILLS (Bothwell). That is by far the largest expenditure ever made at any exhibition, larger than that at Philadelphia.

Sir RICHARD CARTWRIGHT. I observe that in the Estimates for 1886-87 only \$60,000 were asked. So it appears that the expenditures have been very largely in excess of the sum appropriated.

Sir CHARLES TUPPER. There was a very large amount appropriated before that vote.

Sir RICHARD CARTWRIGHT. In any case it is evident there has been a very large under-valuation, because last year Parliament was only asked for \$60,000 and now in addition it is asked for \$115,000. In fact \$125,000 has been expended under Governor General's warrants. It may have been very well laid out; I am not going to gainsay that. So far as I have heard it has produced good results; but it is very objectionable that when the Estimates only show \$60,000 as having been applied for, \$125,000 are now required; a fact which shows very considerable lack of proper information on the part of the officer who, last year, prepared the Estimates. If the hon. gentleman will look back at the Estimates he will see that that was the amount asked last year.

Sir CHARLES TUPPER. I am not at all surprised that the hon. gentleman considers the amount large; it is a very large amount. Of course, I cannot speak particularly with respect to the expenditure in Canada. I have no doubt the Minister of Agriculture adopted every means in his power to limit it as far as possible; but I can speak with respect to the expenditure in London, and I have no hesitation in saying that the closest attention was paid to the outlay made there, and that we succeeded in obtaining results greater than any colony obtained, and we did so at a much lower cost.

Sir RICHARD CARTWRIGHT. Does the hon. gentleman know what the Australian colonies spent, individually and collectively?

Sir CHARLES TUPPER. I do not know. But for the decorations of the court those colonies employed very eminent men in London, and we took tenders and had the work quite as well done at a very small cost. Every means we could adopt to economise in expenditures were used, and I had an opportunity of knowing while the matter was in progress what others were paying for similar work and what we were paying, and we got our work performed at a very much smaller cost than they did. It must not be for-

gotten that Canada occupied in the exposition space as great or greater than the whole of the Australian colonies, and the display was one which, from the very nature of things and from the principle adopted, must entail a very large expense. The policy adopted was to invite manufacturers in Canada to send exhibits to England, and the Government undertook to send them there and bring them back. The reason why the cost of return freight has been so very much less than the cost of sending it there was, that a very large number of sales were effected and consequently there were not nearly so many goods to bring back. In arranging for the freight, means were concerted between the Minister of Agriculture here and myself in London to reduce the charges of sending them and placing them in the exhibition, and that was done at a very much lower rate than at one time it was thought possible to obtain.

Mr. MILLS (Bothwell). The appropriation asked for by the hon. Minister of Finance, and which has already been made by Governor General's warrant, ought to have been asked for twelve months ago. The hon. gentleman has given no information as to how the Government have spent so very large a sum in excess to that asked. Some one has been at fault, some one has miscalculated, either the Minister of Agriculture or some other hon. gentleman connected with the Government, for it is clear that the Government have spent three or four times more than what they asked from Parliament, and estimated at the time the expenditure was contemplated. The hon. gentleman has given no information with regard to that matter. He has not given any justification for the course the Government have adopted in expending three or four times as much as they asked from Parliament twelve months ago.

Sir CHARLES TUPPER. It was quite impossible in the nature of things to arrive at any approximate estimate. It may have been a wrong principle to adopt, but the fact that it was adopted—the principle of inviting exhibitors to send forward their exhibits and undertaking to send them to London—rendered an approximate estimate utterly impossible. I was quite at fault myself in the estimate I made and gave to the Minister of Agriculture, because I never supposed there would be anything like the quantity of goods forwarded. Fortunately we were able, step by step, to obtain greater space until at length the space originally allotted to Canada was nearly if not quite doubled, and that was absolutely necessary, in order to be able to exhibit at all the great variety of exhibits which were sent there. I think I remember reading, with a good deal of pleasure, the statement made by the hon. member for South Oxford (Sir Richard Cartwright), when this vote was under consideration, that Parliament would not consider so much the amount expended as they would the value which they received for it; and I think I may congratulate the House and the country upon that exhibition having been of very great value to Canada, and having placed the extent and resources of this country before the British public—before visitors from India and the Australian colonies, and the outlying portions of the Empire, and of the continent of Europe—in a much stronger and more favorable light than ever before. The hon. member for Bothwell (Mr. Mills) says that this expenditure largely exceeds that of any exhibition which ever took place before. That is true, but I think I may say that just to the extent to which it exceeds any previous exhibition in the amount expended, it has also given to the country valuable results in proportion.

Sir RICHARD CARTWRIGHT. I would like to enquire if the hon. gentleman knows how it came about, or if it did come about—because I can only say it was so stated to me—that there was some mistake in the matter of our exhibit of cheese, which is a most valuable portion of our agricultural product; that it was not displayed as prominently or

in as good order as might be desired, at all events in the earlier portion of the exhibition.

Sir CHARLES TUPPER. That matter was brought under my attention, but I confess I was much surprised to see any such statements made. The fact is when the exhibition opened, a very large exhibit of cheese which had been sent forward by, I think, the Dairymen's Association of Ontario, had not arrived, but there was a gentleman there from Ontario who had himself an admirable cheese exhibit—cheese of immense size and a great variety of cheese—and it attracted the greatest amount of attention, and admirably and perfectly represented that department as far as the Canadian court was concerned. Some time subsequently, after the exhibition was opened, when there was great difficulty in obtaining space, the two gentlemen in charge of the exhibit arrived, and they were anxious to have a large space allotted to them. The cheese had in the meantime arrived, and I appropriated as large a space as I possibly could for the purpose. Subsequently, however, they decided that they would store the cheese and exhibit it at a later period of the season. The weather at that time was very hot; they said the cheese could not remain there very long without being removed, and they themselves made this proposal. I may say that I received a very kind and courteous letter from those gentlemen, thanking me very much for the manner in which I met them and endeavored to carry out their views and intentions. I may say further, that, I think in connection with the Government of Ontario, later on, when the weather was cooler, a large exhibit of cheese was sent forward, and, in fact, a market was opened and cheese was sold in large quantities by these gentlemen, who have also testified to the very thorough and efficient means that have been taken to put before the visitors at the exhibition the dairy products of Canada. So that I think my hon. friend will find on close examination, that there is no ground for a charge as to any failure having occurred in putting the great cheese resources of Canada most thoroughly before the visitors to the exhibition.

Sir RICHARD CARTWRIGHT. I am glad to hear that because, as the hon. gentleman knows, the statement was made, and it would be a great misfortune if anything of the kind had happened. There is another matter as to which I should like to get some information from the hon. gentleman; and here again, not having been on the spot, I can merely call the attention of the House and of the hon. gentleman to the statements which have been made. I do not pledge myself for them, but I was informed that, at the time when an attempt was being made to boom the enterprise of colonising or selling the Island of Anticosti, a large number of fruits, purporting to come from Anticosti, had been in some way smuggled into the exhibition, and were attempted to be exhibited as the actual products of the soil. I would ask if that matter was brought under the hon. gentleman's attention?

Sir CHARLES TUPPER. It was brought very fully and prominently under my attention. The facts were these: a gentleman who was engaged in disposing of the Island of Anticosti, and who made very large proposals to the British public in that connection, applied to me to be allowed to make an exhibit of products from the Island of Anticosti, and I assigned a particular locality in the exhibition to him for that purpose. When these things were exhibited the fact of their having been the product of the Island of Anticosti was challenged. There were bears and dogs and birds of various kinds, timber of various kinds, and vegetables which appeared to be the growth of a very rich and luxuriant soil, and which would indicate a very favorable climate. I told the proprietor of the island that the statement was made that these articles had not been grown on the island,

and that it would be necessary for me either to have authentic evidence placed before me of the fact that they were grown on the island, or they would require to be removed. I may say that I did not permit any of the products of the Island of Anticosti to be exhibited in connection with the agricultural trophy, where the exhibits were made of the other portions of Canada. All I can say is that all the testimony that anyone could require was furnished to me—the testimony of the parties who had raised these articles, the testimony of the captains of the vessels that had brought them to Quebec, and the testimony of the officials of Quebec who had received them, so that I was quite overborne by the testimony furnished that these products were the veritable products of Anticosti. Although I was not in a position to exclude those articles, I took very good care not to be, in the slightest degree, committed to any statements which were made by the proprietor of Anticosti, or of the persons who were endeavoring to effect its sale. When I was applied to, as Executive Commissioner of Canada, to know if the statements they put forward in the prospectus were true, my answer was invariably that I had no information which would enable me to confirm those statements, and I think the hon. gentleman will say that that was about as far as it was possible for me to go.

Mr. TROW. Having had an opportunity of seeing the exhibition, I think the arrangements were all properly made, with the exception of those with regard to the article of cheese, which has just been mentioned. I had the pleasure of meeting the gentleman who had charge of the cheese exhibit from Ontario—Mr. Ballantyne—and he told me that he was not properly treated by the parties who took charge of the exhibition; that he had not sufficient space, and that, consequently, owing to the small space allotted him, he refused to cramp up the exhibits in such a manner that they would not be shown properly. The result was that they were not shown until quite late in the season, so that he lost a very favorable opportunity to dispose of his allotment, and he had to dispose of it at a disadvantage.

Sir CHARLES TUPPER. I have already stated that Mr. Ballantyne had not arrived until after the opening of the exhibition, and when he did arrive there was not a single cheese under his charge in England. When the exhibition was opened and the space allotted, it was occupied by a large and most admirable exhibit of cheese made by another gentleman, Mr. Miller, of Ingersoll. Mr. Ballantyne complained very much of this space having been allotted to a gentleman who, he said, was not a producer of cheese; and I told him that in the absence of any person representing a cheese exhibit, and in the absence of a single cheese from Canada, I was only too delighted to give this space to the gentleman who had such a fine exhibit of cheese. Mr. Miller made arrangements with the largest vendors of cheese in England to take his cheese. Messrs. Spiers and Pond had Canadian cheese in all their restaurants, and in fact took measures by which Canadian cheese was brought into great prominence. I can show my hon. friend or lay on the Table Mr. Ballantyne's letter to me, thanking me for the kindness and courtesy with which he had been treated, and stated that he had himself decided not to make his exhibit until later in the season. These explanations, I think, ought to relieve me from any charge of discourtesy or want of attention to Mr. Ballantyne. When his cheese arrived, the exhibition was greatly crowded, and I had not succeeded in obtaining the large additional space from the arts department which I afterwards obtained, and which relieved us very much; but I at once placed at his disposal a large space at one of the most conspicuous points in the exhibition, near the agricultural trophy. There was another gentleman—Mr. Robertson—sent over under the auspices of the Government

Sir CHARLES TUPPER.

of Ontario, who was delighted with the attention he received, and who has also borne testimony to the facilities which were placed at his disposal.

Mr. TROW. I was informed on the spot that the cheese which came from Ingersoll was sent over for sale and not for exhibition, but that Mr. Ballantyne's was sent expressly for exhibition, and that arrangements were made for that purpose prior to its removal from Canada, but there was some little delay *en route*—the boat did not arrive at Liverpool until a week or ten days later than she was expected; and consequently Mr. Ballantyne lost the opportunity of exhibiting the best sample of cheese in the Dominion.

Mr. ELLIS. I observe in one of the official blue-books of the Province of New Brunswick a complaint made by the agent of that Province, as follows:—

"The unfortunate mistake of employing a number of English attendants throughout the Canadian section, as well as in the offices, led to much confusion. The suppression of all the names of the active commissioners, agents and representatives from the catalogue and all other literature, as well as the omission to have distinctive badges worn by those in charge of the various sections, materially interfered with the commercial work of the exhibition.

"Many excellent openings for business were lost through enquirers being officially referred to the scientific in preference to the practical representatives. While this may have been the means of securing imperial honors for the former, it certainly did not advance the commercial interests of Canada."

I was not at the exhibition, and I do not know to what extent Mr. Cornwall's complaint is justified, but the Province of New Brunswick is of sufficient importance to have attention called to this subject.

Mr. DAVIES (P.E.I.) I think it was unfortunate that the hon. Minister should have yielded to the solicitations of the speculators, who endeavored to float their Anticosti scheme in the English market, to give them room in the exhibition. I had not the opportunity of being there myself, but a number of Prince Edward Islanders who were there brought home a copy of the prospectus issued by those speculators, setting forth the advantages of the Island of Anticosti as an agricultural district. It was perfectly ludicrous and absurd. The most exaggerated and deceptive statements I ever read in my life were contained in this circular. Those who know anything of the Island of Anticosti could not believe it possible that honest or sane men should publish such absurd and exaggerated lies as were published in that prospectus; and the several gentlemen to whom I refer told me that the exhibit made there under the ægis of Canada and of her commissioner was very much calculated to mislead any intending investors. I regret extremely that while the commissioner thought fit to give a separate exhibition to the Island of Anticosti, and thus lent the great name of Canada to what might have resulted—I hope it has not—in deceiving a large number of the English people, he did not carry out to some extent the same arrangement with some of the Provinces. The Maritime Provinces exhibits were mixed up with those of the rest of Canada. There was no separate exhibit from Prince Edward Island, or from Nova Scotia or from New Brunswick. No one could form the slightest idea, from visiting the Canadian exhibition, that there were such places in Canada at all as New Brunswick, Nova Scotia or Prince Edward Island.

Some hon. MEMBERS. Oh.

Mr. DAVIES (P.E.I.) Hon. gentlemen from Ontario seem to think that is great fun; but it was very desirable, I think, that Provinces forming a distinct and separate group, as those Provinces do, should be in some way grouped together in the exhibition, so that the special advantages they offer to intending immigrants possessing a reasonable amount of capital might be brought before the English public. That is one of the great benefits we hoped to derive from this exhibition, and, so far as the Maritime Provinces

are concerned, from the mixing up of the exhibits of all three Provinces with those of the rest of Canada, those advantages were lost. But I do hope and trust that in any future exhibition we will not take the Island of Anticosti under our wing, and I hope the hon. Minister took every opportunity he had of pointing out to intending English investors the inaccuracies, to say the least, of this prospectus, which I have no doubt he saw.

Sir CHARLES TUPPER. I cannot add anything to what I have already stated, and that is, that I went as far I dared to go. I had no information with reference to the Island of Anticosti further than my recollection of our having in this Parliament occasionally to send aid to keep the people of the Island of Anticosti from starving. I gave no countenance to the scheme whatever. When parties applied to me, I said I had no information to corroborate the statements. But I may say that the parties who became subscribers on the representation of this prospectus—as the whole thing was attacked in the press very vigorously, and represented to be a great fraud—sent out an experienced English farmer and another gentleman to this country to investigate it. They were associated with Mr. A. L. Light, civil engineer, who it was said was nominated by the Lieutenant Governor of New Brunswick, Sir Leonard Tilley, at the request of the proposed company. Those gentlemen visited the Island of Anticosti, and they went back in the same steamer with me, and I was greatly astonished at the extent to which the gentlemen sent out to investigate the statements made corroborated them. Mr. Light made a very favorable report of the Island of Anticosti, and one of the English gentlemen purposely sent out by the parties proposing to take stock in the enterprise, made a very favorable report also, and assured me that he was not at all disappointed with the result of his personal investigation, comparing it with the prospectus which he had in his hand. So that my hon. friend will see it would not have been very well for me to go very much further. It was a very significant suggestion, when I stated that, representing Canada as I did, I had no information to enable me to corroborate any of those statements.

Mr. SHANLY. I desire to say a few words with regard to this much abused island. I feel satisfied there is no reason at all why the products which were exhibited in London should not have grown in Anticosti. I have seen products from there that would really surprise many an Ontario farmer. At the same time, I must say that the condemnation of the hon. member for P.E.I. (Mr. Davies) of the prospectus referred to is not one bit too severe. It was what I do not hesitate to call a swindling prospectus, but I say, also, that I know and believe the island can produce root crops of extraordinary growth. The island will absolutely, however, remain forever what it has always been—a desert. The reason is, it is one of those shelving limestone coasts without a safe harbor. The island has ever had a bad name for having caused more wrecks and the loss of more brave seamen's lives than any other of our coasts, because of its utter inaccessibility. Notwithstanding this, I repeat that the products grown there, though they may have been pet products raised for a certain purpose, it is perfectly certain could have been so raised.

Mr. MITCHELL. I have heard a good deal about Anticosti, and, perhaps, know as much about it as any person in this House. I had the honor of having it under my supervision in connection with the marine service for a number of years, and what the hon. member for Grenville (Mr. Shanly) has stated about the danger of its coasts, I can corroborate. It is a place that has made more graves for seamen than any other part of our coast. I know nothing about the products exhibited, I was not at the exhibition myself, and, therefore, cannot speak of them; but from what knowledge I have acquired, through a series of years,

I am satisfied that some portions of the island are susceptible of producing first-class roots, and, in some cases, very good cereals of the coarser kind. That it will ever become a favorable place for settlement, I do not believe. As to the prospectus, I know nothing. I considered it an extraordinary affair, and did not take much stock in it.

Sir CHARLES TUPPER. Did the hon. gentleman take any stock in it?

Mr. MITCHELL. Yes, I did take a good deal of stock in it for seven or eight years, while I had it under my supervision, as Minister of Marine, and had every year to send aid to the island to keep the population from starving at times; but, notwithstanding that, the condemnation of the gentlemen connected with that island is too extensive. There is a great deal to be done with the island, but I admit there are great difficulties in the way. That it is susceptible of affording good living to agriculturists is quite true, but there is another reason which, in my opinion, will always prevent it being a favorable place for settlement: the difficulty of communication, the isolated position in which it stands, the absence of fixed communication with the mainland, must be a great drawback, as well as the absence of good, safe ports by which steamers can approach the island and carry on trade. The hon. the Finance Minister has stated that every economy was exercised in connection with that exhibition. Perhaps it was. I am not going to vouch, from personal knowledge, for anything to the contrary; but I will say that, in connection with the transport of goods, I heard frequent complaints while the transport was going on. I believe the arrangements in relation to chartering steamers to carry those goods were not either of the most judicious or of the most economical character. Who was to blame, I know not; but I know several merchants of Montreal complained they were not dealt with fairly in tendering for it. One, at least, of the vessels that were taken up, I am informed, and I do not vouch for the accuracy of this information, was detained a whole month after being loaded, for some reason I cannot explain. The Finance Minister has referred in very glowing terms to the great advantages which this exhibition has given to Canada. I have no doubt the exhibition has been of benefit to Canada, but whether it has benefited us to the extent of over \$250,000 is another question. My own opinion is it has not. However, I will not take up time discussing that question because the thing is done, but I think a government which comes down and asks for \$50,000 for a service, and then allows the expense to run up to \$265,000, either has been utterly neglectful of its duties or careless in preparing the estimates; and I do not think the people, if this House had been told this service would have cost so much, would have approved our entering into any such speculation.

Mr. McMULLEN. I find the entire cost of this exhibition has been \$263,000. I find that we have paid for freight on goods \$40,000 and \$15,000 returning. I would like to know how it is this discrepancy exists. Is it a fact that people shipped goods for the purpose of selling them and got their freight paid by the Government?

Sir CHARLES TUPPER. Hear, hear.

Mr. McMULLEN. We have no objection whatever to any person sending over a superior article for the purpose of exhibition and being allowed the freight; but if, on the other hand, men take advantage of the exhibition for the purpose of securing free carriage of their products, it is right we should know it.

Sir CHARLES TUPPER. That is a fact and a very important fact.

Mr. McMULLEN. I quite agree in the remarks of the hon. member for Northumberland. I think this matter has been exceedingly costly, and we should have some explana-

tion with regard to the expenditure we are asking now to quietly consent to.

Sir CHARLES TUPPER. I would like to go back to the last item and correct the price of Mr. Barthe's work, it should be \$1.50 instead of \$11.50 which reduces the amount from \$875 to \$375.

To pay owners of cattle for animals killed to prevent the spread of pleuro-pneumonia.....\$39,256 41

Mr. JONES. Will the Minister of Agriculture be good enough to inform me whether the Government have considered the claim of Mr. Clark, of Tatamagouche, for cattle which he was feeding and keeping there when they were taken charge of by the Department of Agriculture, and were not killed at the time? Mr. Clark, it will be remembered, thought a larger amount ought to have been awarded him.

Mr. CARLING. It has been referred to Mr. McEachren for a further report, and I may be able to give it to the hon. gentleman to-morrow. I will try to do so.

Mr. MILLS (Bothwell). I would like to know whether these damages were paid under the express provision of the statute, whether these parties were responsible for the disease being among their cattle or not, because, if they were, the provision in the Act is that they are not entitled to compensation.

Mr. CARLING. These cattle were slaughtered on suspicion that they had disease, and Mr. McEachren, the veterinary, who had charge of the station, recommended that they should be slaughtered.

Sir RICHARD CARTWRIGHT. Where was this done?

Sir CHARLES TUPPER. At Point Levis.

Sir RICHARD CARTWRIGHT. Entirely?

Sir CHARLES TUPPER. Yes.

Gratuity to C. S. Neville, late a messenger in the Department of Railways and Canals, on his leaving the service.....\$383 33

Sir RICHARD CARTWRIGHT. What are the circumstances connected with this?

Sir CHARLES TUPPER. I am instructed by the Minister of Justice that Mr. Neville's health suffered from indoor employment, and on a medical certificate he was allowed to leave the service and receive a gratuity.

Sir RICHARD CARTWRIGHT. How long has he been in the service?

Sir CHARLES TUPPER. I know that he had been in for a number of years. He was there all the time I was in that Department.

Mr. McMULLEN. What salary did he receive while he was in?

Sir CHARLES TUPPER. He went in at a low salary as a boy, and his salary was not high when he left.

Mr. MILLS. It could not be as high as a messenger, but it would be satisfactory to tell us the age of the party, and the length of his service.

Militia.....\$2,400

Sir RICHARD CARTWRIGHT. I should like some explanation about the first item in this: "to pay C. Campbell, second-class clerk, Department of Militia and Defence for services—compilation of correspondence and précis on the defences of Canada (prior to 1st July, 1886), \$1,000." I do not suppose that Mr. Campbell can have contributed any valuable military lore to the Department as to the defence of Canada. I suppose it was only simple clerical work, and for that the allowance of \$1,000 is rather large. Under what circumstance does the Minister recommend this vote to us?

Mr. McMULLEN.

Sir ADOLPHE CARON. I think that no more valuable contribution has been made on a very important question than the work now before the House. Mr. Campbell is a retired officer of the British navy. The compilation which he has worked up is one taken from papers which were in the home office in England, from papers in Halifax, from all the reports made to the Department of Militia at different times upon the defences of Canada, and it is also a compilation of all the despatches exchanged between the Imperial Government and the Canadian Government upon that question. I believe that no other person but one who had the peculiar knowledge Mr. Campbell possesses to a very great degree could work up this book as he has done. It is a book of very great importance, and he has spent several months—I am not sure if it was not nearly eighteen months—in working up that book from the different records and dockets. It is a book of very considerable importance to the Department, condensing the contents of fifteen or sixteen volumes. Knowing the importance of the work and the time which he gave to its compilation, I thought I was quite justified in recommending to Council to pay him the amount which appears in the Estimates. It is a confidential report which naturally cannot be placed on the Table of the House, containing, as it does, all the history of the defences of Canada, and other matters which cannot be reported, but which are considered very important and very valuable to the Department of Militia.

Sir RICHARD CARTWRIGHT. What are Mr. Campbell's present duties, his ordinary duties?

Sir ADOLPHE CARON. He is a second-class clerk in the office of the Deputy Minister of Militia and Defence, and is in charge of a very important branch of the correspondence, which is increasing every day.

Sir RICHARD CARTWRIGHT. The hon. Minister will observe that, without disputing the value of the gentleman's information or the value of the confidential memoir, as I take it, which he has composed, the practice of paying our own officers large additional sums for extra work is not one which it is very desirable to encourage. What is the total salary of this gentleman, irrespective of this grant?

Sir ADOLPHE CARON. He receives now \$1,250 per annum, and I must again repeat what I have already stated, that this is the work of a specialist, requiring special qualifications, which Mr. Campbell possesses.

Sir RICHARD CARTWRIGHT. The hon. gentleman will see that any grant of this kind, in his Department or in any other Department, is looked upon as establishing a precedent that, if the head of the Department assigns to any man a special bit of work, that man is to be entitled to receive extra pay for it at a very high rate; and very special abuses may creep in and have crept in under votes such as these. In past years, we have found a number of gentlemen—I think in the Railway Department—who have practically doubled their salaries by working extra hours, and have got better pay for their extra hours than they did for their work during their ordinary hours. If this sort of thing is to be allowed to creep in, the whole of the Departments will be disorganised. I do not know anything in regard to this particular work, and it appears that we cannot know anything, but, of course, I accept the hon. gentleman's explanation that the work is valuable to the Department.

Mr. McMULLEN. On page 17 of the Auditor General's accounts for this year, there is a list of names of civil servants who have received the pay of two different offices. There are over 150 civil servants who have been paid for double services during last year, in some cases \$300, \$550 and even as high as \$800. I think it is time this system was put a stop to. If the country is hiring a man and paying him a respectable salary for the work he performs, he

should not be led to understand that he is going to get any addition in the way of a gratuity which is paid him at the good pleasure of the Minister in whose Department he serves.

Mr. MILLS (Bothwell). Has this compilation been printed?

Sir ADOLPHE CARON. We had only a very limited number struck off, and they are all marked "confidential." It is not a work that could be placed before the public in the interests of the service. It contains, as I have already stated, a history of all the defences of Canada, and the projected defences of Canada, and I do not think it would be at all in the interest of the service to make of it a document that could be circulated, and that might possibly travel out of Canada and be used outside of Canada.

Mr. MILLS (Bothwell). It seems that what Mr. Campbell has done is simply to make a compilation of documents that are in possession of the Department, and that might be of service to the Government in case of hostilities. The hon. gentleman says this is a work that, although printed, cannot be published. It is a confidential work.

Sir ADOLPHE CARON. Very confidential.

Mr. MILLS (Bothwell). Well, would it not have been well, before coming to Parliament to ask for an appropriation for undertaking this confidential compilation, that the hon. gentleman should have put it in the power of the House, either before a confidential commissioner or in some other way, to judge of the propriety of the compilation and of the amount that Mr. Campbell is entitled to?

Sir ADOLPHE CARON. I will let the hon. gentleman see what it is, and I think he will be astonished at the compilation.

Mr. CHARLTON. Where was that confidential compilation printed?

Sir ADOLPHE CARON. By the Queen's Printers, I think.

Mr. MALLORY. How long was this gentleman engaged in the compilation.

Sir ADOLPHE CARON. I am not quite sure, but I think it was for eighteen months. He worked after office hours, sometimes even till midnight. I am quite certain that the amount now asked for is certainly not too much.

Mr. MILLS (Bothwell). I think that the system is extremely vicious. A clerk who has some copy and who undertakes the work of a specialist in a compilation of this sort, and who sits up late hours, so far disqualifies himself for the ordinary duties he is paid to perform. Besides that, while I am not complaining that the hon. gentleman proposes to compensate Mr. Campbell—for I suppose he encouraged him to go on with this work—it does not seem, from the hon. gentleman's statement, that Mr. Campbell has compiled anything that was not accessible to any hon. gentleman.

Sir ADOLPHE CARON. No, it was not accessible.

Mr. MILLS (Bothwell). The hon. gentleman knows that not only the Department but the public have the reports of Colonel Jarvis and of General Mitchell and others, with regard to the defences of this country.

Sir ADOLPHE CARON. Quite true, but several of these reports were asked for by Parliament and were always refused, because it was not considered consistent with the interest of the service to bring them down.

Mr. MITCHELL. A gratuity of two years' pay to Lieut. Col. W. T. Baird, \$1,400—is he any relation to the gentleman who sits for Queen's, N.B.?

Mr. JONES. I would like to ask whether the Government cannot reconsider their decision with reference to

Col. Milson. The Minister of Finance is aware that Col. Milson entered the service of Nova Scotia previous to the Union. He left the Imperial service with the expectation, if not with the understanding, that his position thereafter was to be permanent. After a certain number of years, at the time of the Union, he was transferred to the service of the Dominion, and in the course of time his services were dispensed with, leaving him an old man, now practically without any means of support. I think he was engaged by the Finance Minister when that hon. gentleman was Premier of the Province, and I trust it is not too late to do something for him. Others have been cared for by the Dominion when they became unable to perform their services any longer.

Sir CHARLES TUPPER. I called the attention of the Minister of Militia on more than one occasion to Col. Milson, and expressed my great desire that anything consistent with a due regard to public economy which characterises this Administration, should be done.

Mr. JONES. Was he not entitled to a pension?

Sir ADOLPHE CARON. No, he was not entitled to it, as otherwise he would have received it.

Mr. MITCHELL. I asked a question a moment ago. It seems to be the fashion not to answer the questions I ask. I propose to-night to get every question I ask answered, if I can. I want to know whether Mr. Baird, whose name is here, is a brother, or is any relation of the gentleman whose seat for Queen's was questioned for some time in this House?

Sir ADOLPHE CARON. I can tell the hon. gentleman that my Department being a non-political Department, I have not been able to trace any relation between an employé of my Department and the gentleman who sits for Queen's. I did not take up the question from that standpoint. I do not know whether he is a brother, or a cousin or nephew of the gentleman who sits for Queen's.

Mr. MITCHELL. That is about as much information as I generally get. I rather take exception to the Minister of War's statement that his Department is non-political. I think there is a good deal of politics in it, notwithstanding the hon. gentleman's declaration.

Canadian Pacific Railway, British Columbia section. \$40,000

Sir RICHARD CARTWRIGHT. Is this for Mr. Onderdonk?

Sir CHARLES TUPPER. A part of it. Of that sum, \$12,013 is to pay Mr. Onderdonk for repairs of damages caused by storms and freshets, and the balance is for setting up the wharf at Port Moody on iron piles, and for land surveys.

Mr. McMULLEN. I noticed that Mr. Onderdonk got some \$21,000 for building six stations on that portion of the road. I would like to know if there was any tender advertised for, or how it was that he got the building of those stations.

Sir CHARLES TUPPER. I will give the information to the hon. gentleman.

Mr. CHARLTON. I desire to obtain information as to the length of the wharf where the iron piers were used, and the depth of the water.

Mr. MULLOCK. Was the work for which \$20,000 was charged done under tender?

Sir CHARLES TUPPER. I am not able to state; it was done since I left the Department. I will obtain the information for the hon. gentleman and lay it on the Table.

Mr. MILLS. How did the obligation arise?

Sir CHARLES TUPPER. I think it arose from having undertaken, in the first instance, to build the pier with wood, and it was found necessary, owing to the wood being destroyed by a special worm, to resort to iron piling in order to keep up the wharf. The water is very deep there. The ships from England that brought the rails discharged at the wharf.

Mr. MULOCK. I hope that when the Minister of Finance brings the information, he will also bring any contract or document bearing on the matter, and until that is done the Committee should not be called upon to vote the item. It may be that in trying to do away with the evil effects of one worm, we are encouraging a much more injurious one in the person of Mr. Onderdonk and those connected with him.

Sir CHARLES TUPPER. I promise before concurrence to lay on the Table of the House the information asked for, and I hope at this period of the Session that hon. gentlemen opposite will be satisfied with that.

Mr. MULOCK. I would be very glad to consent, but last year we had the very same experience, and it was a most unfortunate one, and it happened in regard to this same gentleman—Mr. Onderdonk. I do not think it is fair to call on the Committee to vote \$40,000, when we have no evidence showing why we should or should not vote it. It is making a farce of voting supplies if we are called on to vote money, and on concurrence, or afterwards, ascertain that we should not have done so. I object to the passage of the item until the papers have been laid on the Table of the House.

Sir RICHARD CARTWRIGHT. I think the Minister of Railways should be here when these items especially affecting his Department are being considered. No doubt in some cases the hon. gentleman who has special charge of the Estimates, having been Minister of Railways himself, is in a position to give the information to the House; but he cannot do it in reference to a great many of these new items. As he knows very well, there is no real opportunity of obtaining information unless the Minister in charge of the Department is here and prepared to give the requisite information for which the hon. gentleman has asked. This is a special case. Here is an expenditure under Governor General's warrant for \$30,000. A Governor General's warrant is always supposed to have been passed after a special examination on the part of the Minister in charge of the Department, and on the ground of special urgency and importance, and Council itself makes a special examination, or is supposed to do so, into the urgency. In this case there is a double reason why we should have the information.

Sir CHARLES TUPPER. I promised to lay the information fully on the Table of the House to-morrow, and I hope hon. gentlemen will accept that as sufficient at this period of the Session.

Mr. McMULLEN. The information I desire is in connection with the expenditures at page 195 of the Auditor General's report:—

A. Onderdonk, contract 92	\$82,000 00
Removing slides between Port Moody and Savona	56,557 56
Labor and materials in connection with water service.....	7,186 74
Digging and refilling trenches, laying water pipes, constructing	7,425 85
Transport of pipes and fittings.....	865 70
Freight on 1,839 tons of rails, at \$3.....	5,517 00
Labor and materials to complete 31 switches at \$33.81.....	1,048 11
Stacking rails	335 28
6 station houses, at \$3,500.....	21,000 00
Extra work on foundations.....	1,081 19
3 wood sheds.....	205 68

Mr. MILLS (Bothwell).

Those items together make \$178,981. Mr. Onderdonk appears to be a favorite individual.

Mr. CHARLTON. It seems to me that the Minister of Railways should be present to give information.

Sir CHARLES TUPPER. If the hon. gentleman objects I will move that the Committee rise and we will take up the Customs Bill.

Mr. CHARLTON. Perhaps at a later period of the evening the hon. gentleman might be here. At this stage of the Session it is almost impossible to have any discussion on these items at any other stage, and this is one of those items on which the House desires some information.

Sir CHARLES TUPPER. The hon. member who previously spoke had the Auditor General's report in his hand from the first day of the Session, and yet he asks papers to be brought down at the last hour, with the effect, I will not say the purpose, of obstructing the progress of the Estimates. I do not think this is the way to facilitate the discharge of the public business.

Mr. McMULLEN. I believe many hon. members on this side of the House, out of courtesy for the Minister of Finance, have, on several occasions, consented to leave over matters with the promise of the Minister that there would be another opportunity given for discussion. We are near the close of the Session, and if we allow the present opportunity to pass there will be no other opportunity of discussing this important item.

Sir CHARLES TUPPER. What I object to is, not the hon. gentleman asking for papers, but that while he has had the Auditor General's report in his hand, and must have known whether he wanted the information or not, he took no steps a week or two ago to ask for it, but he has done so just now.

Sir RICHARD CARTWRIGHT. I am quite sure that, as regards the Auditor General's report, my hon. friend will agree to accept the offer of the hon. Minister without further comment, although the enquiries must come naturally in connection with the discussion on the Onderdonk contract. In regard to the other matter of information about this particular vote, the Minister knows that members are in their rights in asking for full information. They have no opportunity of obtaining it elsewhere.

Mr. MITCHELL. I will state another reason. There are a good many items in this vote. There is another item in which I will require some information from the Minister who has charge of the Department, information which the Finance Minister cannot possibly give; and as he will not be here after the House rises, he cannot make any pledges in regard to it. That is in regard to Indiantown Branch.

Sir CHARLES TUPPER. I will give the hon gentleman the information when we get to it. If it is not sufficient, we will endeavor to procure it.

Mr. MITCHELL. I think the Minister of Railways should be here to give the information. I do not think the Minister of Finance, when he casts blame on hon. gentlemen who are criticising the Estimates as they pass through, is acting properly. He says we should have asked for papers long ago, but it is the duty of the Ministers, when they come down to ask for these votes, and particularly these extraordinary votes, to be prepared to give information, and it is entirely out of place to throw the responsibility or the blame on gentlemen on this side, that they have not asked for the papers. That is my idea, at any rate.

Sir CHARLES TUPPER. The hon. gentleman had, and the House had, these very items before them almost the first days of the Session; they became the subject of discussion in this House, and if the hon. gentleman wanted in-

formation as to how the money was spent, or wanted the papers, then was the time to ask for them, when they could be provided without detaining the House. I presume it would take some time now to prepare these voluminous papers and to bring them down. I contend that gentlemen have the fullest rights to criticise these votes, and to ask for all information; that I am quite willing to concede, but I think when we have had the matter before us from the first of the Session, if they wanted information they should have given the Minister an opportunity of laying it on the Table of the House, as could have been done by asking for it a month ago.

Mr. MITCHELL. We have not had that information from the opening of this Session; it was a long way on in the Session when the list of Governor General's warrants came down.

Sir CHARLES TUPPER. They are brought down the first fifteen days of the Session.

Mr. MITCHELL. I say that is not the time to discuss these things on concurrence, but when we come to vote the money then is the time to discuss them. When a particular Minister of the Crown takes charge of these items to put them through the House, he should be fortified by the Minister having charge of these particular matters, that I think the House has a right to demand and expect. Under these circumstances, the hon. gentleman should not attempt to put the blame on gentlemen on this side, and attribute to us any neglect in not having asked for these papers. It will be charged, if we ask for the papers on every item shown by the Governor General's warrants when they come down, that we are putting the Government to expense in copying voluminous papers, and delaying the business of the House. We do not ask for voluminous papers; we want information as to what constitutes each item, and how it is made up, and the hon. gentleman in charge of the business of the House should be able to tell us.

Sir CHARLES TUPPER. I have told you.

Mr. MITCHELL. No, you haven't.

Sir CHARLES TUPPER. Yes.

Mr. MITCHELL. I beg the hon. gentleman's pardon. He has told us in general terms; he has a way of rather bluffing the thing through, but he has not given us the information we have a right to expect. I say that the hon. Minister of Railways should be here to explain the things which the hon. gentleman himself may not be in a position to explain. It cannot be expected that an hon. gentleman coming here just before the election, for a special purpose, and taking charge of the most important Department in the Government—with all his great ability, and eloquence, and power—it cannot be expected that the latter qualities to which I have referred are sufficient to satisfy us if the information we have a right to demand is not given before we are asked to vote away the public money.

Mr. MULOCK. I would remind the Minister of Finance that on several occasions during the present Session hon. gentlemen on this side of the House have not only asked for the production of papers, but in many cases have obtained the order of the House for their production, without those orders being obeyed. Now, if an order of the House is disobeyed in that way, we may fairly assume that the mild request of a private member would be treated with at least equal contempt. An order of the House upon the Government to send down papers is now practically a dead letter, and before the House closes I will have occasion to illustrate wherein I think the Government has treated the House in an improper manner, with regard to papers on one very important question. At the commencement of the Session an order was issued for these papers and, although I have several times asked for them, and although the promise was

made that they should be brought down, the order of the House remains unobeyed to this moment.

Sir CHARLES TUPPER. What was that?

Mr. MULOCK. It was an order for a return in regard to the railway commission. I moved for that document at the commencement of the Session, the first time I could do so under the Rules of the House. I introduced a Bill affecting the railway law, and I mentioned at the time that I could not go on, and did not desire to go on, until the order in regard to the railway commission was brought down. I wished to have laid before the House the evidence up to that time taken by the commission, and to point out wherein I thought the commission was failing in its object. The Minister of Railways promised them, and after a month of time had elapsed, after I had been as patient as was reasonable, I asked him for the papers, and although he gave me a promise that they would be brought down, they have not been brought down, and the result is that the Bill did not have a second reading, although I had an opportunity several times of moving its second reading. I also take the ground which has been taken by the hon. member for Northumberland, that this is a proper time when such information should be given; that the papers should always be considered on the Table, and that they should be within reach now that they are wanted. With regard to the voting of public money, my observation leads me to this conclusion, that the House has been largely negligent of its duty in voting away vast sums of money without explanation; and when we look at the finances of the country we see the legitimate consequences of this neglect of duty by all the members of this House, irrespective of the places they occupy. There are no duties we are more bound to do honestly than to be economical in disposing of the people's taxes, and whatever the hour of the Session it may be, even if it is the last moment of the Session, I am not prepared, so far as I am concerned, to allow business to be slurred over, even if it is the wish of all of us to prorogue. We have a duty to perform and we must perform that duty.

Sir CHARLES TUPPER. We will reserve that item.

Intercolonial Railway..... \$731,895 46

Mr. MITCHELL. The same remarks apply against this item. There is some information I want with regard to this.

Sir CHARLES TUPPER. Will the hon. gentleman state what information he wants.

Mr. MITCHELL. I will, but you cannot give it to me. There is an item there, Indiantown Branch, \$17,000.

Sir CHARLES TUPPER. We haven't come to that.

Mr. MITCHELL. I know that, but the whole of these items come together.

Sir CHARLES TUPPER. We are dealing with a specific vote, and if the hon. gentleman wants information on that vote I shall be most happy to give any information in my power, and if I cannot, we will have to let it stand.

Mr. MITCHELL. I think we have a right to have the Minister of Railways here to give information on those items.

Mr. SHANLY. But we should take them in order.

Mr. MITCHELL. The first item is increased accommodation at St. John, \$10,000. I want information—

Sir CHARLES TUPPER. There is an hon. gentleman behind you who has the floor.

Increased accommodation at St. John..... \$10,000

Mr. ELLIS. I observed that the return of warrants laid on the table of the Public Accounts Committee there was one for increased accommodation at St. John station, \$5,000, and one for \$5,000, for expenditure on the erection of a wharf or the benefit of ocean traffic. Now, I live in St. John, and I can safely say there was no erection at the wharf at St.

John. This warrant was issued about the 7th of February, a short time before the elections; and while some men were employed in doing work, it certainly was not for any erection at the wharf, or for the benefit of the ocean traffic in any way.

Sir CHARLES TUPPER. The details furnished me of this \$10,000 vote are as follows:—To complete buildings, \$206.84; retaining wall, \$761.80; heating apparatus, \$477.50; bridge, \$1,204; works in progress, \$2,028; inspection, \$351.73; filling in pond in centre of deep water wharf, \$5,000; making a total of \$10,000.

Mr. ELLIS. I think filling in a pond means a great deal more than filling in a pond.

Mr. JONES. As the hon. Minister is disposed to give information, would he be kind enough to inform us how \$8,000 was expended under the Governor General's warrant on the Halifax Extension, and \$7,000 on the Dartmouth Branch. I am not aware of any expenditure in the nature of permanent work having been undertaken or going on at that time in the city of Halifax. I may be wrong, but I have shrewd suspicion that this covers up some expenditure that was undertaken last February preceding the election.

Sir CHARLES TUPPER. The expenditure of \$7,000 on the Dartmouth Branch is made up to the 31st of December, 1886—in carrying on works of construction in excess of appropriation, \$3,028, and to settle outstanding land claims and building bridge, \$3,972. The details of the \$8,000 expenditure at Halifax are: completing masonry of wall to support the track for coal shed, \$479; rails for additional sidings, \$480; completing buildings, \$155; completing tracks, \$1,960; and filling in pond at south end of dock-yard, \$5,000. That is the work the hon. gentleman refers to, and in reference to that I dare say he is aware that it was made a condition of obtaining the land from the dock-yard that certain things should be done there, and this was part of that work.

Mr. MILLS (Bothwell). When was the arrangement made?

Sir CHARLES TUPPER. The arrangement was made some time ago, and the work has been carried to completion.

Mr. JONES. Does the hon. gentleman think the middle of February is a desirable time to undertake earthworks?

Mr. MILLS (Bothwell). I think this is rather an extraordinary statement made by the hon. gentleman. He admits that the obligation was entered into by the Government a long time ago, and yet they found the necessity for going on with the work so great that they were obliged to depart from the usual parliamentary practice and issue a Governor General's warrant for obtaining the necessary money for the purpose of filling up a pond in the winter season.

Mr. MULOCK. Was this work done in the winter season?

Sir CHARLES TUPPER. Yes.

Mr. MULOCK. What was the necessity for its being done in the winter season?

Sir CHARLES TUPPER. It was the most convenient time for doing it, I think.

Mr. MITCHELL. If the hon. gentleman had said the most effective time, it would probably have been more accurate.

Mr. LANGELIER (Quebec). What is the expenditure of \$3,000 on the Rivière du Loup Town Branch for?

Mr. ELLIS.

Sir CHARLES TUPPER. It is made up of the expenditure to the 31st of December, 1886, in making an addition to the wharf, \$1,817; completing the work of adding to wharf, laying tracks and grading, \$1,183.

Mr. MILLS (Bothwell). Another election expenditure.

Mr. McMULLEN. What progress has been made in the construction of the Pictou Branch?

Sir CHARLES TUPPER. It is expected to be completed in the course of the ensuing month.

Mr. JONES. Will this vote of \$220,000 complete it?

Sir CHARLES TUPPER. Yes.

Indiantown Branch.....\$17,000

Mr. MITCHELL. I would like to know if this vote is sufficient to complete the connection between Indiantown and Farley Mills, to connect with the North-Western Railway?

Mr. TEMPLE. My hon. friend for Northumberland (Mr. Mitchell) is, I think, the last man in this House to say a word with reference to the Indiantown Branch. I know nothing about the item at present, but I know that the road should never have been built at all. It was my hon. friend who induced the Government to build this road, and now he is continually finding fault with them for what they have done, because they have not gone far enough to satisfy him. I cannot understand the hon. gentleman. I have known him for the last thirty years, and have always had every respect for him. I knew him when he was in the Local House, and he was respected there by everybody, but something or other in the last two or three years has come across the dream of the hon. gentleman, and we can hardly make out what it is. Some think he is "looney," but I would not say that. I do not feel myself satisfied it is that, but I think the hon. gentleman must forget himself; he must be in his dotage. So far as Indiantown Branch is concerned there are two roads, and the present Finance Minister is the gentleman who consented to build this road to satisfy the hon. member for Northumberland. It was not required at all, and the hon. gentleman knows it, but was merely built to satisfy him. Now, he wants more, although he knows that \$140,000 of subsidy was money wasted and lost to the country just to satisfy him. And now where is he? We could not keep him; he is the party who is always by himself. I am sorry to differ from the hon. gentleman, but I thought it was but just to myself and the Government, as I know about this, that the House should know that the road complained of is the road that the Government built to satisfy the hon. gentleman, and with which he will not be satisfied without a further outlay of \$150,000 on it.

Mr. MITCHELL. I could not catch half what the hon. gentleman said; but I will set him right on one point. I was not complaining about the vote, but I asked the information whether the \$17,000 was intended to complete the link from Indiantown to the connection with the Northern and Western Railway near Farley Mills? The hon. gentleman says he does not understand me. He certainly gave me a certificate of character during the early years of my life, when he said he knew me in New Brunswick. I am much obliged to the hon. gentleman for a certificate of character, but I think if a certificate of character in reference to myself and my public acts rested on the statement of the hon. gentleman, it would not carry much weight. He says he thinks I am "looney." If I am wrong in attributing that expression to him, I would like him to set me right, but that is the word he used, as I caught it. I do not know what he means by it. If performing my duties to my constituents and criticising, in a proper and parliamentary manner, the votes my constituents have to pay by taxation, is an evidence of my being "looney," whatever that may mean, the hon. gentleman is right. I can easily understand the hon. gentleman. He says this road is not wanted, but he knows he induced

the Government of the day to transfer the vote from my county into his, and he got the vote because he was then, as he is now, an out-and-out supporter of the Administration, and I was one who, in the exercise of my duty to my constituents, acted from an independent standpoint. The hon. gentleman says the road is not wanted. I reply that it was wanted, and it was got when there was no railroad in that country. The vote was granted for the Derby Branch, and the hon. gentleman and some of his associates endeavored to—I will not say cheat, because that might not be parliamentary—but to deprive my constituents of the right to say where the road should be placed. The hon. gentleman who criticises my conduct as a public man and attempts to say he does not understand me, lent the weight of his aid for the purpose of trying to defeat the legitimate objects of the constituents I have the honor to represent, and whom, I think, I represent fairly, honestly and well. He knows, that if I would do as he does, if I would be a tame follower of the Government, and support them in all these extravagant votes, which have amounted, together with statutory charges, to about \$50,000,000, passed in about eight weeks, I, probably, also could get the interest of \$300,000 guaranteed for a bridge, and get a couple of railways established in my county, where they are just as well wanted as where the hon. gentleman has placed them. But I have the misfortune to have an independent spirit, and it may be it is a misfortune not only to myself but to my constituents, and I have not been able to get one single item in the Estimates for the benefit of my county. I will not say it is because I ventured to criticise the conduct of the Government, but I believe it is; and I have no hesitation in saying it is because I do my duty in criticising these gentlemen who are not the masters, but the servants of the people, as I have the right to criticise them. I would say to the hon. gentleman who has attempted to school me, that his standing is not such as to warrant him attempting to criticise my conduct. The hon. gentleman may be acting within his role when he finds everything right that the Government does and acts as the Government tells him, for which subserviency he gets more than he is entitled to, but when he attempts to attach names of opprobrium to me for my conduct on public question, he is stepping outside his duty. I did not object to this vote. What I did was to ask whether the sum of \$17,000 was sufficient to cover the expense of constructing a link between the two points in the line which are eight miles apart, and I have a perfect right to ask for that information. I have in my desk letters from some of my constituents residing upon that Derby Branch, and I would now call the attention of the Minister of Railways to this point. I have received several communications from constituents of mine whose properties are situated on the line of the Derby Branch, and whose lands have been taken and interests have been interfered with, whose approaches and landings from the river have been interfered with, and they have been writing to me and asking when they can get the damages settled by the Department. As to the approaches from the river where the general communication is carried on, as far as the fisheries and the lumbering are concerned on that river, I have in vain tried to get these damages settled, and I would like to know if the Minister of Railways will instruct his officers to have these questions settled and taken out of the way as soon as this Session is over. I would like the Minister of Railways to state whether he will do that or not.

Mr. POPE. Yes, I will do it.

Mr. McMULLEN. The member for York (Mr. Temple) stated that this grant of \$140,000 had been given in order to keep the hon. member for Northumberland (Mr. Mitchell) in line. I would like to know whether the Min-

isters of the Crown are going to allow that statement to go undenied or not. We have some thirty-eight railway grants which are to come up in a few days, and I would like to know whether these are given on the same ground of keeping hon. gentlemen opposite in line, whether they are intended to prevent them from rebelling unless they consent to be brought into line. If the country is being run in debt in order to keep hon. gentlemen in line, because they choose to press something on the Government in the interest of the section they represent, it is well the country should know it. I hope the Ministers of the Crown will not sit silent and allow this to go unnoticed.

Sir CHARLES TUPPER. I am glad the hon. gentleman has called my attention to the statement made by the hon. member for York (Mr. Temple). I did not hear his statement.

Mr. MITCHELL. Nor did I, or I would have answered it.

Sir CHARLES TUPPER. But I may say that, if the hon. gentleman made any statement that I was induced—because it was on my representation, as I was Minister of Railways and Canals at that time, that the vote was proposed on the representation of my hon. friend from Northumberland (Mr. Mitchell) for the Indiantown Branch—if the hon. member for York (Mr. Temple) thinks that that vote was influenced by any desire on the part of the Government to affect the vote of the hon. member for Northumberland (Mr. Mitchell), he is entirely mistaken. I might call upon members on both sides of the House to remember that we were receiving at that time a sort of left-handed support from the hon. member for Northumberland (Mr. Mitchell). He was occupying an independent position in this House at that time.

Mr. MITCHELL. As I do now.

Sir CHARLES TUPPER. He was leading a party—the left centre I think it was called—a very compact party, which the hon. gentleman succeeded in keeping very well in hand; but he was not regarded at that time as a general supporter of the Government any more than he is at present. The hon. gentleman, while he is sitting on the other side of the House, finds himself impelled by a sense of duty to give a very general support to the Government at the present time; and at that time he was obliged in the same way to give a support to the Government in consequence of his approving of the measures we submitted to the House. Under these circumstances he came to me and pointed out the importance of the construction of this Indiantown Branch, and I have no hesitation in saying frankly that he satisfied me that it was in the interests of the public service, that it would open up an important section of country, that it would bring traffic to the Intercolonial Railway, and that it was in the public interest that the expenditure should be made, or I would not have submitted the vote to the House. I think the hon. member for York (Mr. Temple) could not have intended to say that the Government, or that myself, as the Minister of Railways at that time, could be induced to sanction an appropriation of public money for the purpose of influencing the action of any hon. gentleman on either side of the House.

Mr. MITCHELL. I am obliged to the Minister of Finance for having given the explanation which he has. I did not hear the remark of the hon. member for York (Mr. Temple) any more than he did, but I can only say to the House, which contains a great many new members who do not know the history of this Derby Branch, that although I did not hear the impertinent and insolent remark in reference to myself, which it is stated was made by the member for York, if anyone supposed they could control me, that the Government could muzzle my mouth and keep me quiet when the public interest demanded my speech, they would

do me a great injustice. The vote which I asked for the Derby Branch was to connect the county which the hon. member for York (Mr. Temple) represents with the city of Fredericton on one side and with Newcastle and Chatham on the other. I got a vote for building the Derby Branch, but afterwards the influence of the hon. gentleman and his friends at the other end of the line, together with people in my own county, was brought to bear. It was brought to bear by the hon. gentleman before he was here in the House, and afterwards, when he became a member, possessing as he then did more influence as an out-and-out supporter of the Government than one who supported them on measures which were just and opposed them on those which were unjust, of course his influence was still greater. It is true that I gave the Government, what the Minister is pleased to call a left-handed support at that time, but it was an honest support. I supported them when they were right, and opposed them when they were wrong, and that is the kind of support the constituencies of this country expect from their representatives, if men do their duty, which some men do not do. That is what is imposed upon them when they assume the responsibilities of representing a constituency. I have never cringed or crouched to the Government in order to get votes or advantages. Can the hon. gentleman say as much? I was never afraid to express my opinion in regard to the action of the Government when I thought it was wrong. Can the hon. gentleman say as much? Has he always voted according to his judgment and according to his conscience? Has he found the Government to be right in every thing? At all events, he always votes for them and supports them. I vote against them when I believe them to be wrong, and I try to keep them right. I may state, for the information of the new members who are here, that when the Government attempted to take away the vote which they had passed for this line of railway which I had induced the Government to place before the House and to induce the House to adopt, I fought hard for it, and I succeeded in carrying out the original object I had in view, when I applied four years before for this grant, before the hon. gentleman was in the House, before he ever took the first step towards the building of the road from Miramichi to Fredericton. He came in afterwards and got the benefit of my efforts, and now the road is nearly completed, though not exactly on the line which I advocated and which he and his friends from York tried to divert from the original intention of Parliament in granting the money.

Mr. TEMPLE. The hon. gentleman has made his statement again, and there is not one word of truth in it.

Some hon. MEMBERS. Order.

Mr. MITCHELL. I feel it necessary to call the hon. gentleman to order. He says there is not a word of truth in it. I say it is all true.

Mr. TEMPLE. Well, Mr. Chairman—

Some hon. MEMBERS. Order.

Mr. MITCHELL. The hon. gentleman will either take those words back or I will reply to him.

Mr. TEMPLE. Allow me to speak.

Mr. MITCHELL. I will reply, perhaps, in a way that is not parliamentary.

Mr. TEMPLE. I can do the same thing.

Sir CHARLES TUPPER. I think we will have to ask my hon. friend from York (Mr. Temple) to withdraw the statement that there is not a word of truth in it. It is impossible to carry on the discussions in this House when any one hon. gentleman uses expressions of that kind to another hon. member.

Mr. TEMPLE. Then I withdraw it. The hon. gentleman's statement, I may say, is like himself. The hon. gentleman.

Mr. MITCHELL.

gentleman has made a statement that I had tried to take away his line. I never had anything to do with that line until I came into Parliament. Not one blow was struck on that line, although the hon. gentleman says that he had done a great deal before ever I came here. I do not know of anything having been done.

Mr. MITCHELL. I got a vote of the money, that is what I did.

Mr. TEMPLE. What money?

Mr. MITCHELL. The money to build the Derby Branch, 32 miles.

Mr. TEMPLE. That was after I came here.

Mr. MITCHELL. It was before you came here.

Mr. TEMPLE. It was the same winter I came here. I did not complain that the Government had given him this vote of money for the purpose of obtaining his vote. I did not mean to say that for one moment. But he knows just as well as I do that the road was of no benefit to anybody, and never will be of any use. It will never pay the oil for running the road. Time will tell whether I tell the truth, or the hon. gentleman.

Mr. MITCHELL. The fact of the matter is this: The hon. gentleman says the money was voted after he came here. I tell him it was voted a year before he came, and two corporations got to squabbling about who should build the road, and the question of where the subsidy should be applied lay over until the next year, and when the hon. gentleman came here he induced the Government to transfer—and I think the Finance Minister will bear me out in this—to transfer the money from my end of the road to his end, the 38 miles from my end to his end of the road, and they voted a specific sum for the Indiantown Branch, and they took away my original vote and built the road as a government work. I was willing to have it done, but it was money voted a year before the hon. gentleman ever put foot in this House. As to the road never earning the cost of the oil of running, I can tell the hon. gentleman that it runs through as good a section of country as exists in New Brunswick, well settled from end to end, not a single vacant lot during the whole 18 miles the road runs through.

St. Charles Branch. \$222,091.46

Mr. LANGELIER (Quebec). Is that to complete the payment of land damages on the St. Charles Branch?

Sir CHARLES TUPPER. That is to pay the awards of the official arbitrators and the judgments of the Exchequer Court.

Mr. DAVIES. Will that pay all the claims arising out of the building of the St. Charles Branch?

Sir CHARLES TUPPER. No, that does not quite cover the whole. Perhaps \$25,000 will be required yet. The total cost has been \$1,114,240.97, the total length is 16 miles.

Mr. LANGELIER (Quebec). I am afraid the largest claims have not yet been settled. I know of a claim of more than \$200,000 which has not yet been settled, and I do not know when it will be.

Mr. McMULLEN. Can the Minister give the original estimate for the construction of that road?

Sir CHARLES TUPPER. I do not remember at this moment, but it has been enormously exceeded. I submitted the original estimates to the House, and it was done in all candor. It was done upon an estimate on the part of the engineers and of persons most familiar with that section of the country, as to what the land damages would cost.

Sir RICHARD CARTWRIGHT. I think it was \$350,000.

Mr. MILLS. Would the hon. gentleman tell us how much of this \$222,600 is yet unexpended?

Sir CHARLES TUPPER. I think about \$40,000 is still to expend.

Sir RICHARD CARTWRIGHT. Machinery, \$10,000— I asked a question as to whether this was charged to capital account?

Sir CHARLES TUPPER. Yes, I will give you that. That item is made up of several items, among which are one lathe, \$2,600; one extra heavy engine lathe, \$920; one planer, \$250; one locomotive driving wheel lathe for Rivière du Loup, \$3,100; one dimension planer, \$1,200.

Mr. MITCHELL. Rolling stock, \$100,000—Was any portion of this money appropriated for the purpose of paying the hon. member for York (Mr. Temple) for snow ploughs?

Sir CHARLES TUPPER. I think I may say no.

Mr. MITCHELL. I ask for the information because I have heard it stated that the hon. gentleman was either supplying snow ploughs, or had sent a patent to the Government for a snow plough, and I thought it might account for his course.

Mr. McMULLEN. Was this \$100,000 charged to capital account or current expenses?

Sir CHARLES TUPPER. This is capital account. It is made up of items among which are one milk car, \$2,500; 150 coal cars of 20-ton capacity, \$82,500; excess of cost for furnishing 100 engines with air brakes, over the estimate, \$10,000.

Mr. JONES. I hope this vote with the vote taken already, will enable the Minister of Railways to equip the road with sleeping cars. Under the present arrangement it is very inconvenient. The morning I left Halifax we had no sleeping car until we reached Bedford. Then when we came to Moncton, the car I came in went to New Brunswick and there was no car again until we came to Campbellton. I think it is running the Intercolonial Railway rather fine.

Sir CHARLES TUPPER. It shows the remarkable economy of the administration.

Mr. McMULLEN. In regard to charging these items to capital account, I think it will be evident to any hon. gentleman that if we continue to charge to capital account all the rolling stock from year to year supplied to the Intercolonial Railway, and no sum is charged to rolling expenses, the capital account is bound to run up to a very large sum. It is absurd to buy rolling stock from year to year and charge it to capital account, and write off nothing accredited to capital account in proportion to the wear and tear, which ought to be charged to running expenses. What will be the condition of the capital account under such a system? There will be fifty or sixty millions charged to capital account, whereas the stock will not be worth more than twenty millions, because the rolling stock will be worn out. It is a most fallacious course to pursue, and the true policy is to charge rolling stock to working expenses.

Sir CHARLES TUPPER. The hon. gentleman is entirely mistaken in supposing that all the new rolling stock is charged to capital account. Every part of the rolling stock once charged to capital account is to be maintained. If it is damaged either by accident or by wear and tear, it must be replaced and charged to revenue. If a dozen engines are destroyed, they must either be made over or new ones take their places, and the cost charged to revenue account. It is only the first equipping of the road with engines and cars required for increased business that is charged to capital account, but once put upon the road all charges must be charged to revenue.

Mr. MILLS (Bothwell). Will the hon. gentleman explain, if that is the rule adopted, why he has repaired certain cars and charged the amount to capital account?

Sir CHARLES TUPPER. The hon. gentleman refers to remodelling sleeping cars. That is an entirely different matter. We did not own them, but it was the purchase of the cars and expenditure necessary to remodel them and place them on the road. If one of the cars is damaged repairs will have to be made, and if destroyed it will have to be replaced out of revenue account. The same applied to the Westinghouse brake. It was for the protection of life and property, but once placed upon the road, those have to be maintained and charged to revenue.

Mr. JONES. If the Minister of Finance had obeyed the order of the House and brought the return of expenditure on capital account, we would have avoided this discussion. Instead of bringing down details of expenditure the hon. gentleman merely submitted a copy of a portion of the Public Accounts, which was practically no information.

Sir CHARLES TUPPER. Perhaps the hon. gentleman was not in the House when I stated that the Minister of Railways said it was impossible to submit a detailed return during the present Session. All he could do was to give a statement of the amounts chargeable to capital.

Mr. JONES. We never can arrive at a correct understanding of what is charged to capital account until we obtain such a return. The hon. gentleman may think it is a question of trouble.

Sir CHARLES TUPPER. Such a return might be prepared during the recess.

Mr. JONES. There has been abundant time to bring down a considerable portion of the information, if there had been a disposition on the part of the Minister to have brought it down; but there is an evident attempt on the part of the head of the Department to keep back the account. We can never discuss the capital account until we have a detailed account of the various items charged, and for that purpose I have been urging the Minister day after day to bring it down, and I have never got the answer which is given to-night, which is rather late.

Mr. MITCHELL. I have sent out to the library and got the proof to show whether my hon. friend (Mr. Temple) or myself told the truth.

Sir CHARLES TUPPER. Would it not be better to say whether my hon. friend or myself made a mistake?

Mr. MITCHELL. I am using the words the hon. gentleman used. He said I did not tell the truth.

Sir CHARLES TUPPER. He withdrew those words.

Mr. MITCHELL. I say I did tell the truth—and that is perfectly in order. I refer to the Statutes of Canada for 1883, page 346. The hon. gentleman will not say that he was in the House then? I know he was not. In 1883 the only vote for that road was the following:

“To the Northern and Western Railway Company, for thirty-two miles of the railway from the Intercolonial Railway near the Miramichi to Morans near Denphy village, in the Province of New Brunswick, a subsidy not exceeding \$3,200 per mile, not exceeding in the whole \$102,400.”

The next year the hon. gentleman was in the House, that was in 1884. That vote was transferred from my end of the line to the hon. gentleman's end, and in this way:

“To the Northern and Western Railway Company for a line of railway from Fredericton to the Miramichi River, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole (instead of the subsidy proposed in 1883) \$128,000.”

The year after I got the vote, the Government took that vote from my end of the line and transferred it to the hon. gentleman's county, to his end of the line. I hope the hon. gentleman will have honor enough in him to withdraw the statement he made, and acknowledge the fact that I did get that vote the year before he came into this House, and that

the vote was in the following year transferred to his end of the line.

Mr. TEMPLE. I said nothing about the North-Western line. The hon. gentleman is always turning, quibbling and twisting things.

Mr. MITCHELL. Do you say I am quibbling?

Mr. TEMPLE. I said nothing about the North-Western line; it was the Indiantown Branch I was speaking of.

Mr. MITCHELL. I was talking about the Indiantown Branch. I was not talking about the North-Western line, but about the Northern and Western Company that was to build the Indiantown Branch. The point the hon. gentleman sought to make was as to whether I had got the vote before him or not. He now stands convicted of having told what was not correct, and I have proved it.

Mr. MILLS. With respect to the item \$126,687, judgment and legal expenses, in the case of Windsor and Annapolis Railway, how much is for judgment and how much is for costs?

Sir CHARLES TUPPER. I am informed that the judgment was for \$113,000 and the balance costs. The Minister of Railways is present and he has informed me that the stations on the Canadian Pacific Railway that the hon. member enquired about were given by tender. The Minister of Railways is also prepared to explain the expenditure, to which exception was taken, for putting iron piles at the wharf at Port Moody. This work was for iron piles, surveys, &c., \$27,000, and the larger portion of the work was given by tender and contract. The portion which was not so given was done under the instructions of the Government engineer, and was for repairs caused by storms and freshets, amounting to \$12,000.

Sir RICHARD CARTWRIGHT. A question was also asked as to the extent of the wharf and the depth of the water supply.

Sir CHARLES TUPPER. The depth is sufficient to admit large sea-going ships at low water, and the extent is about 300 feet.

Mr. POPE. I may say the wooden wharf was destroyed by storms and iron piles were put outside of it.

Mr. MILLS (Bothwell). How much was expended on the work for which the iron piles were substituted?

Sir CHARLES TUPPER. I am not certain of that.

Prince Edward Island Railway..... \$5,800

Mr. MILLS (Bothwell). When was this money expended on the Prince Edward Island Railway?

Sir CHARLES TUPPER. This was for extension of Charlottetown station yard and coal shed, to fill up the water space with brush and gravel and increase the yard accommodation, and \$1,200 of the whole amount was for the extension of the coal shed thereon, including crib work.

Mr. JONES. When was that done?

Sir CHARLES TUPPER. I think late in the season.

Sir RICHARD CARTWRIGHT. January and February, I suppose.

Sir CHARLES TUPPER. About that time.

Mr. POPE. The only time at which it could be done was in the winter season when the brush could be hauled on the ice.

Sir RICHARD CARTWRIGHT. This, I think, has been left over, if I am correctly informed, for three or four years.

Sir CHARLES TUPPER. Surely it should not stand longer.

Mr. MITCHELL.

Sir RICHARD CARTWRIGHT. But work which has been left over three or four years is not exactly the sort of thing for which warrants should issue as an urgent work could not possibly be foreseen.

Mr. MILLS (Bothwell). When was this sum of \$3,000 spent on the Carleton Branch Railway to complete purchase of stock?

Sir CHARLES TUPPER. After the sum of \$25,000 previously stated had been expended in the purchase of bonds and stock and expenses, there remained shares in the hands of private parties amounting to the above sums.

Mr. MILLS (Bothwell). Who were they, and where do they reside?

Sir CHARLES TUPPER. That I am unable to say, but the hon. gentleman knows that it was necessary to acquire all these bonds and stock in order to obtain a title to the property.

Mr. JONES. When was it paid?

Sir CHARLES TUPPER. That I am not able to say, but there is no doubt that it was acquired.

Mr. ELLIS. I can mention to the hon. gentleman some facts with regard to this item.

Sir CHARLES TUPPER. I shall be glad to have assistance.

Mr. ELLIS. This stock was for a long time in the hands of local persons for small amounts. The Government bought the city stock and also that held in England, and then speculators bought this other stock up, and just before the general election the speculators became clamorous, and threatened the local managers in St. John that unless it was paid their whole influence would be thrown against them in the election, so the Governor General's warrant was issued.

Sir RICHARD CARTWRIGHT. It really seems to have been a bad investment, if the hon. gentleman's statement is correct.

Sir CHARLES TUPPER. It looks like it.

Mr. MILLS (Bothwell). Perhaps the hon. gentleman can tell us at what price the stock was sold to the Government?

Mr. ELLIS. I think it was purchased at par, because the other stock was purchased at par. I do not think there was anything objectionable in that part of it.

Mr. LANDERKIN. Right before a general election.

Mr. JONES. I see there is an item here for the Short Line Railway; and while we are on that subject I would like to ask the Minister of Railways to give us some information with reference to the Short Line Railway which is now going on to the cities of St. John and Halifax, and which, it was expected, would shorten very much the distance from Montreal to those cities. There is a good deal of anxiety at present, on account of reports that they were about connecting with the Maine Central Line, instead of proceeding with the work as originally contemplated to Fredericton, Salisbury and Moncton; and if that is the case, it would appear from the information which reaches us indirectly, that while the road would have an advantage in connecting with the American line, the distance to be gained by the connection with St. John would not be anything like what was originally contemplated. I have heard it stated by a person who pretends to be well informed, that the line has been deflected so much, owing to the lack of accuracy in the original survey, that the distance to Halifax will not be shortened fifty miles. I should like to have some information from the Minister of Railways on that point, because the expenditure can only be justified on the ground that it

would shorten the distance to Halifax and St. John by over 200 miles; and if, as is said to be the case—I speak from personal knowledge—it will not shorten it more than to the extent I have named, I think the intention of Parliament will not be carried out. If the hon. gentleman is in a position to give any information on this subject, I know it would be very acceptable just now, when the question is being discussed a good deal in the Lower Provinces.

Sir CHARLES TUPPER. The hon. gentleman is aware that that work is in the hands of the Canadian Pacific Railway Company, with whom a contract has been made, and that contract is on the line originally agreed upon by Parliament, to carry the road to Mettawamkeag, and from Mettawamkeag, the company, as I understand, have made arrangements with the Maine Central Railway and the New Brunswick Railway to go to St. John. That was always the intention. The road is, therefore, being constructed precisely on the line and in the terms of the contract approved by Parliament, and the work is going on vigorously; and I am informed by the company that the line will be completed by the end of this year. The other portion of the contract requires the line to go from Harvey to Fredericton and from Fredericton to Moncton, for the Halifax connection, and that the company are also bound under their contract to construct on the line originally laid down by Parliament.

Mr. JONES. If my information is correct, they are constructing the branch from Mettawamkeag to the Central Railway, and no progress is being made on the other branch. I am aware that it is said to be under the charge of the Canadian Pacific Railway Company, but it appears to me the Government should exercise supervision over those roads when public money is expended on them.

Sir CHARLES TUPPER. Certainly, the contract is with them.

Mr. JONES. I would like the hon. gentleman to inform the House whether progress is also being made on the line from Harvey to Fredericton? I am informed that it is not.

Sir CHARLES TUPPER. I understand that they are concentrating their attention on the main work first, and that they will then take up the other; but they are bound by the contract to take up the other and prosecute it vigorously, and complete it within a certain time.

To pay R. W. Cooper for extra services in connection with the construction of the Tay Canal, from 1st July, 1882, to 30th June, 1885, deduction being made of an allowance of \$150 already paid.....\$450

Mr. MILLS (Bothwell). What are the services?

Sir CHARLES TUPPER. The superintending engineer reported in favor of this allowance to Mr. Cooper for making out the pay-lists during three years, he being a competent book-keeper, and his present salary being only \$800.

To pay claims and services of valuers on Carillon Canal.....\$419

Mr. MALLORY. I would like to ask the hon. Finance Minister if he is able to give me the information I asked for a few days ago, viz., whether the contractors on the Murray Canal received an extension of time for the completion of their contract.

Sir CHARLES TUPPER. There has been no formal extension.

Mr. MALLORY. Has there been an extension of any kind?

Sir CHARLES TUPPER. They have been allowed to go on, but have not had any particular time allowed to them.

Sir RICHARD CARTWRIGHT. They have been absolutely in the hands of the Government—a very dangerous predicament, I may observe, when men have very large claims and a general election is pending.

Mr. MITCHELL. Not at all, when they vote right.

Sir RICHARD CARTWRIGHT. That depends. My impression is that these gentlemen voted wrong, and induced many others to vote wrong. With reference to this Carillon Canal, I know nothing of the services of the valuator; but the point I wish to call the attention of the Committee is, that I think it is quite absurd to take a Governor General's warrant for \$450 to pay claims for the services of valuers. I think that should be paid out of the amount placed at the disposal of the Government for unforeseen expenses. I ask the First Minister or the Minister of Finance whether, as a matter of practice, they do not themselves think that the use of the Governor General's warrant for this purpose is an abuse of it?

Sir JOHN A. MACDONALD. Of course, it is a small sum to ask the Governor General to issue his warrant for, but if there is no other way of getting the money, the warrant ought to be issued. It seems to me that the word unforeseen defines exactly what the vote is for—anything that comes up unexpectedly, such as the breaking of a lock in a canal.

Sir RICHARD CARTWRIGHT. The Governor General's warrant is expressly provided for that.

Sir JOHN A. MACDONALD. Perhaps so. An unforeseen exception is one that the Government are not in a position to get the sanction of Parliament for, but this claim of the valuers for work performed in the ordinary course is not an unforeseen expenditure.

Mr. MILLS (Bothwell). When was this liability incurred?

Sir CHARLES TUPPER. These claims arise out of the construction of the Carillon dam by flooding the lands of the claimants. Compensation for five claims, \$245. Services of the Government land valuator, \$174.

Mr. MILLS (Bothwell). When was this liability created?

Sir CHARLES TUPPER. I am not quite certain, when the flood took place.

Mr. POPE. It is not a very old claim. I doubt whether it is more than 18 years ago.

Mr. MILLS (Bothwell). So it became absolutely necessary, by urgency, to pay by Governor's warrant. When was the warrant issued?

Sir CHARLES TUPPER. On the 18th September, 1886.

Sir RICHARD CARTWRIGHT. Looking over the unforeseen expenses, there are items which have no business, on the principle laid down by the First Minister, to be under this heading, as, for instance, the rebellion losses commission, which might have been foreseen.

Sir CHARLES TUPPER. It is a very nice question.

Sir RICHARD CARTWRIGHT. It is a question which, bearing in mind the use that is made of it, deserves the attention of the House. You find subscriptions to papers, books, &c., under unforeseen expenses. The reason that I call attention to it is that I have always regarded, both in practice and theory, Governor General's warrants as a serious matter, only to be used in important emergencies.

Sir CHARLES TUPPER. Something like an accident.

Sir RICHARD CARTWRIGHT. I do not think that claims of this kind fairly fill the bill.

Royal Commission on Railways.....\$20,000

Sir RICHARD CARTWRIGHT. Who are the commissioners?

Sir CHARLES TUPPER. Sir Alexander Galt, E. R. Burpee, T. E. Kenny, junior member for Halifax, who was obliged to resign his commission.

Sir RICHARD CARTWRIGHT. When?

Sir CHARLES TUPPER. Previous to becoming a candidate. Mr. Moberley and Mr. Schreiber are the two other commissioners. Each received \$20 a day, \$5 a day for hotel expenses, and railway and other fares.

Mr. MILLS (Bothwell). What amount did they receive?

Sir CHARLES TUPPER. I will make a note of it.

Mr. KENNY. I will give what information I can to the Committee. I had the honor of serving on the commission, but my connection with it was abruptly terminated by the action of the citizens of Halifax, who thought I could serve the country more usefully here. I have not the figures of the exact remuneration I personally received, so that I cannot give any information on that point.

Mr. MILLS (Bothwell). Is the commission still continuing?

Sir CHARLES TUPPER. It is continuing with the other four, and the work is nearly done.

Lachine Canal, Royal Commission on leases.....\$4,000

Sir CHARLES TUPPER. There were two special warrants issued by Orders in Council, 20th November, 1886, and 30th December, 1886, \$4,000, to meet expenses. The commission was appointed the 17th July, 1886 and is composed of Thomas Pringle, John Kennedy, C.E., E. H. Parent, C.E., chairman, and R. C. Douglas, C.E., secretary. There are ten leases.

Sir RICHARD CARTWRIGHT. What revenue is derived from the canal leases?

Mr. POPE. That is not in my Department. I will get the information, however, for the hon. gentleman.

Sir RICHARD CARTWRIGHT. When do you expect the commission to report?

Mr. POPE. Immediately. I hoped to have had it this evening, but it is not yet printed.

Mr. MILLS (Bothwell). Is one of the commissioners the engineer of the canal?

Mr. POPE. One is chief superintendent; he will get pay as commissioner in addition to his salary.

Sir CHARLES TUPPER. Mr. Douglas is also an engineer in the service of the Government.

Residence and office for the collector on St. Anne's Canal..... \$2,500

Mr. MILLS (Bothwell). How was it necessary to issue a Governor General's warrant for this?

Sir CHARLES TUPPER. The superintending engineer of the Ottawa River canals reports that he has been called upon to remove the residence of the collector because the Canadian Pacific Railway Company are building a pier to the railway bridge at the point, and that, as the bridge will run over the dwelling of the collector, it is necessary to provide a new residence and a new office for the collector.

H. F. Perley, three years' services in superintending St. Peter's Canal..... \$750

Sir RICHARD CARTWRIGHT. Perhaps the Minister will explain as to this?

Sir CHARLES TUPPER. This was submitted to the Treasury Board, and recommended and approved on the ground that Mr. Perley, who was the engineer in charge when the St. Peter's Canal was constructed, and now has nothing to do with the Department of Railways and Canals, could better superintend that work, and the repairs necessary to it, than any person else, and at a great saving to the Government, who would thus not be obliged to employ, through the Department of Railways and Canals, a

Sir CHARLES TUPPER.

superintending engineer, by giving a small sum to Mr. Perley for the performance of these duties outside of his Department and in connection with another work.

Mr. LANGELIER (Quebec). Is not Mr. Perley the chief engineer of the Public Works Department?

Sir CHARLES TUPPER. Yes.

Mr. LANGELIER (Quebec). He is also the chief engineer of the Quebec harbor works. I think that is for the interest of the works, because he has corrected the great blunders which were made by his predecessors. I would like, however, to know whether he is in receipt of any salary as chief engineer of the harbor commissioners of Quebec?

Sir HECTOR LANGEVIN. Yes, the harbor commissioners allow him something every year—I think \$800 or \$1,000.

Mr. MALLORY. Is it not strange that this person's services were not paid for three years ago, instead of now?

Sir CHARLES TUPPER. He has been paid at the rate of \$250 a year, but, it being a small sum, it is brought in every two or three years.

Mr. MALLORY. I think it would be better to pay him every year than to lump up the amount. That does not conduce to a proper examination of the accounts.

Sir RICHARD CARTWRIGHT. I understand that he gets \$250 for this work, as long as it goes on, and it has been elicited that he receives \$1,000 from the Quebec trust. What is his salary in the Department?

Sir HECTOR LANGEVIN. \$3,200.

Sir RICHARD CARTWRIGHT. That makes about \$4,500. It may probably be the case that you require to pay somewhat larger salaries than you have been doing to officers of first-class grade and first-class ability, if we can get them, but I think it would be better that they should receive a larger salary fairly and squarely than that we should eke it out here, there, and everywhere, in half a dozen ways.

Sir HECTOR LANGEVIN. The fact that Mr. Perley receives that sum from the harbor commissioners is a large saving for the harbor commissioners, as the hon. member for Quebec (Mr. Langelier) knows. The sum which was paid before was very large, but Mr. Perley being the chief engineer of public works, it was very important to have him there in order to prevent the blunders to which the hon. gentleman has referred continuing, and that the chief engineer should have the control of these works; and, therefore, the commissioners have allowed the extra \$1,000 while this work continues.

Mr. JONES. There is another point, whether, as a matter of policy, it is wise to have the Government engineer, who receives a salary from the Government, advising any corporation which has dealings with the Government.

Sir HECTOR LANGEVIN. He is under the control of the Minister of Public Works. He makes plans and directs the road, but there is a local engineer to look after the work there. He is not really under the control of the commissioners, but they give him \$1,000.

Mr. JONES. We have high authority for stating that a man cannot serve two masters.

Sir CHARLES TUPPER. It is of great advantage to the Government, who are paying this money, that the Minister of Public Works should have a man there supervising the expenditure of that money.

Mr. JONES. How, when he is in the employment of another corporation?

Sir CHARLES TUPPER. It is really paid by the Government.

Mr. MULLOCK. These officers are really paid for their full time by the Government. When they are doing other work, they may be required to discharge the duties for which they are specially engaged. This is an officer who is engaged here for his full time and paid his full salary. If you allow him to do some other work, for which he receives extra pay, he must neglect something else. I think that paying extra salaries to men who are engaged by the year is entirely wrong. We have another illustration of that in the case of Mr. Schreiber, the railway engineer. He is employed at \$4,000 a year, and for years you have been paying him, or the Canadian Pacific Railway Company has—I do not know which—for what he has had to do with the Canadian Pacific Railway.

Sir CHARLES TUPPER. He has been paid nothing by the Canadian Pacific Railway Company.

Mr. MULLOCK. At all events, when that work was undertaken, his salary was increased \$2,000. If he is to be paid a salary of \$6,000, let it be specified.

Sir CHARLES TUPPER. That is exactly what it is.

Mr. MULLOCK. No.

Sir CHARLES TUPPER. Yes.

Mr. MULLOCK. When?

Sir CHARLES TUPPER. Always.

Mr. MULLOCK. It appears in the Estimates as being a salary of \$4,000, and then in connection with the Canadian Pacific Railway there is another payment of \$2,000.

Sir CHARLES TUPPER. And for this reason, that, when he ceased to be charged with duties of so onerous and important a character, and involving such great responsibility as those in connection with the Canadian Pacific Railway, the salary would not be required to be continued; but, if \$5,000 was stated as his salary, without showing that \$2,000 was in connection with the duties of the Canadian Pacific Railway, that salary, would be a permanent one.

Mr. JONES. I suppose that \$2,000 is for looking after Onderdonk and Company's rolling stock.

Sir CHARLES TUPPER. That was part of his duties certainly.

Mr. McMULLEN. I referred before to the number of officers receiving double pay. In connection with this item I will give the names of a few which I find on page 19 of the Auditor General's report. Mr. Chamberlin receives \$2,400 as Queen's printer, and \$105 additional for doing Government printing. Hon. Mr. Clark, county court judge of Northumberland and Durham, got \$2,264 as salary, for settling Short Line Railway claims, \$700; as arbitrator Lachine Canal, \$350—a total of \$3,314. There is also Mr. Coursolles, French translator, House of Commons, who gets \$2,200 salary; translating for printing of Statutes, \$161; translating geological survey, \$1,063; translating consolidation of Statutes, \$1,684—a total of \$5,108. Lieutenant Governor Dewdney gets a salary of \$4,000, and \$3,200 as Indian Commissioner, and some other items, making in all \$7,216. Then Mr. Evans, chief analyst, Inland Revenue Department, eight months' salary, \$1,333; services for the Board of Customs, eight months, \$533—a total of \$1,866. Again, D. Ferguson, Customs, Chatham, N.B., \$1,200 salary, and from the savings banks, \$400. J. Ferguson, ocean mail clerk, salary \$1,000; trip allowances, \$800; distributing immigration pamphlets, \$100—total \$1,900. We have again Mr. Forget, clerk of North-West Council, \$1,800; rent allowance, \$500. Mr. Grosse, Customs officer, St. Andrews, \$1,200; for services in connection with savings banks, \$400. And so on we have got 150 civil servants,

who are receiving extra allowances in different capacities. Major General Middleton got \$4,000 on one account last year, and \$20,000 on another. We have Colonel Walker Powell, Adjutant General, \$2,600, and for staff allowance, \$600.

Mr. MALLORY. I agree with the hon. gentleman who has just sat down in condemning the principle of paying civil servants for extra services. In reference to Mr. Perley, I may state that I do not know this gentleman, although I presume he is a gentleman of high standing who could not be influenced by any sum he might receive. But the general principle is exceedingly erroneous, and ought not to be adopted by any Government. When we have a servant in the employ of the country at a fixed salary, he ought not to be allowed to accept a gratuity from those who have contracts with the Government.

Sir CHARLES TUPPER. He does not get anything from contractors.

Mr. MALLORY. I understand he is getting it from parties who are receiving grants from the Crown.

Sir CHARLES TUPPER. It is the harbor commissioners not the contractors.

Mr. MALLORY. In that case, the harbor commissioners are expending the money of the country for other purposes than that to which it was voted by this Parliament.

Mr. MULLOCK. I think the present size of the civil servants list ought to cause the Government to have some regard for the taxpayers. A return was laid upon the Table for the year 1886, showing the number of civil servants and their salaries up to the first of August, 1885, and that disclosed a state of affairs which I think is not at all to the credit of those who are administering the affairs of the country. If I remember rightly, there were at that time over 4,000 civil servants in the employment of the Government, and they have added to that staff since they came into office something like 1,800. The gross amount paid in salaries to the civil servants up to the first of August, 1885, was between three and four million dollars a year, that is, fixed salaries, not including extra such as we are discussing to-night. When we look over the individuals and see the work they discharge, and when we consider the hours they work, and the comparative lightness of their duties, I think the Government is not doing justice to the country when they increase that charge. There can be nothing more injurious to the young men than to encourage them to believe that their fortunes are made when they get into the service of the Government. Under the very objectionable principle now established of holding local examinations several times a year for admission to the Civil Service, with now some thousands of young men who have passed examinations and are qualified to enter the service, you are offering a premium to young men throughout the Dominion to look for situations in the public service rather than to proceed independently to work out their own fortunes. I think that, as a rule, the civil servants are now paid so well that there is no excuse whatever for supplementing their salaries by extra payments.

Sir CHARLES TUPPER. The hon. gentlemen opposite are entirely in error in supposing that we are increasing the public charge. The very reverse is the case. What they object to is our not having appointed a superintending engineer for the St. Peter's Canal, an independent officer and charging the country \$1,000 or \$1,500 a year for a service which we could get for \$250. Then the hon. gentleman wants to have another superintending engineer for the harbor works at Quebec, and instead of obtaining the services of the chief engineer of the Public Works Department and his close supervision of the whole of this work at a cost of \$1,000 a year, he wants an engineer whom we

would have to pay \$1,000 or \$5,000 a year to perform that service. All these cases arise out of a desire of the Government to save the public money by utilising the services of the same individual to perform different branches of the service that would otherwise necessitate having half a dozen.

Mr. MULOCK. Then it is quite clear that if members of the staff can be drawn away to discharge other duties, they are not wanted where they are.

Mr. MALLORY. Did Mr. Perley, when sent to Quebec, go in the ordinary discharge of his duty?

Sir HECTOR LANGEVIN. Yes, in the ordinary discharge of his duty. He is in charge of a work that is very important to the Government and the country. He is a talented and experienced officer, and he is certainly not paid what he should be paid. An engineer in the United States, doing the work which that gentleman does, would be paid \$6,000 or \$8,000 a year without doubt. Mr. Perley is sent to Quebec to look after the interests, not of the harbor commission but of the Government. We are advancing the commission large sums for a special work, and the interests of my department, of the Government and the country are that that work should be looked after, not by the engineer of the commission, but by the engineer of the Government. But in order to save a salary of \$3,000 or \$4,000 that the commission would have to pay, I have allowed my engineer to make plans and specifications in the Department, and with \$1,000 added to the salary of the engineer of my Department from the funds of the harbor commission we obtain everything: first, supervision of those works by the chief engineer of the Department; and also the work done at the minimum rate of \$1,000, which otherwise would cost \$3,000 or \$4,000. If that is wrong, it is a wrong that can be well justified.

Mr. JONES. The hon. gentleman's explanation is not at all satisfactory. We are not questioning Mr. Perley's ability. We are not saying he is overpaid; I believe he is a capable and efficient officer. But he is employed by the Government, and we have a right to assume that he is paid the sum at which they think his services could be replaced if he left the Government's employment. Mr. Perley is not there to make plans for the harbor commission. The commission are to make their own plans and submit them for the approbation of the Government. The moment you allow the harbor commission or any other corporation to share in the payment to a public officer, that moment the corporation has a claim on him as well as the Government. I do not mean to say that Mr. Perley would be untrue to his obligations and duties to the Government which employs him, but, as a matter of principle, no man can serve a corporation and the Government at the same time, and have the public put implicit confidence in his administration or report. The Minister of Finance has said that an engineer is required to visit different sections—like St. Peter's Canal. You do not require a resident engineer there, but occasional visits from an engineer of the Department. I say again that it is indispensable in the public interest that public servants should not be employed by any corporation outside of the Government.

Mr. McMULLEN. This principle is undoubtedly wrong. I contend that in no instance does a corporation or business man, who transfers an employé to another place, pay him double salary. If a bank sends a clerk to another branch to inspect, they do not pay an additional salary to him when he is away. They pay his travelling or other expenses and that is all. If a wholesale man transfers an employé to perform some particular duty he does not give him two salaries. The principle is a wrong one, and the Government is laying down a precedent which may lead to civil servants making increased demands on the Government. Even postmasters, who are paid large amounts, will

Sir CHARLES TUPPER.

think the Government are establishing a principle of giving extra allowances, and they will note little points on which they can prefer extra charges. Soon no civil servant will be able to do without some little extra allowance of a few hundred dollars added to his salary. Civil servants should be led to understand that whatever duties are required of them, they must be performed without additional allowance. The principle should be laid down that civil servants must perform the duties devolving on them wherever required, and without extra allowance, except the payment of the expenses.

To pay the claim of the Kingston and Montreal Forwarding Company re sinking of barge *Williams*.....\$1,638.79

Sir RICHARD CARTWRIGHT. What are the circumstances connected with this item?

Sir CHARLES TUPPER. It is to pay for a barge sunk on 9th June, 1885, near the upper entrance of the Lachine Canal by its striking some projecting bolts. The superintending engineer reported, after inspection, that the parties were entitled to compensation, and that the claim was a reasonable one. Protection has since been placed along the parts of the pier complained of.

Mr. MULOCK. Why did not this amount come in the accounts of 1886?

Sir CHARLES TUPPER. It had not been investigated and reported upon.

Mr. MULOCK. The accident happened in June, 1885, and it took till March, 1887, to get it adjusted. When was the report made? It seems to me a most extraordinary thing that when an accident happened in June, 1885, it should take until the spring of 1887 before the Department has investigated it and made a report. I do not know what connection that had with the events of February.

Sir CHARLES TUPPER. I am afraid that the party in power will have to suspend business for the time being when it is supposed an election will be held, for it is to be assumed that no business can be done then.

Mr. MILLS (Bothwell). I think the public will have to adopt another rule, and that is to view with suspicion hon. gentlemen who undertake to act upon such a principle.

Mr. MULOCK. I do not think that some of the public works completed and done under the sanction of the Governor General's warrant were altogether necessary.

Sir CHARLES TUPPER. I have known claims of this kind pending for years; the people pressing them and passing them on from hand to hand.

Mr. MULOCK. Will the hon. gentleman be kind enough to lay on the Table of the House, before concurrence, all the papers in connection with this matter?

Sir CHARLES TUPPER. I hope that will not be necessary when I tell the hon. gentleman that the Order in Council was dated on the 8th of February, 1887, and that the sum of \$2,638.79 was paid in full settlement of all claims.

An hon. MEMBER. That is quite satisfactory.

Mr. MULOCK. I would ask the Minister to place on the Table the papers preceding the Order in Council —

Sir CHARLES TUPPER. I will make a note of it.

Mr. MULOCK. But will we get the papers?

Sir CHARLES TUPPER. I will get what I can.

Mr. MULOCK. I would like the correspondence preceding the Order in Council, the report of the officers, &c.

Sir CHARLES TUPPER. I have already given the hon. gentleman the report of the superintending-engineer. I

may say before passing to another item that I can give the hon. gentleman now some information he asked for with regard to the superannuation of the messenger, C. S. Neville. I may say that although I do not know his age exactly, he was a young man of, I think, about twenty or twenty-one years. The Treasury Board reported that they had had the matter under their consideration, and recommended that a sum of \$383.33 be placed in the Supplementary Estimates as a gratuity, being ten months' salary at the rate of \$460 per annum, which was the salary he received when he left the service. He was obliged to retire on account of ill-health, and the proper medical certificate was submitted. He had been twelve years in the service.

Sir RICHARD CARTWRIGHT. Then he must have gone into the service younger than the age which the law allows.

Sir CHARLES TUPPER. I may have understated his age; at all events, he went in as a boy at a very small salary, which went up to \$460 before he left the service.

Mr. MULOCK. So you superannuate one at the age of twenty-one, and the other day you appointed another at the age of seventy-five.

Public Buildings, chargeable to income, Quebec.....\$28,475

Sir RICHARD CARTWRIGHT. There is rather a large item there for St. Vincent de Paul Penitentiary, \$16,525.

Sir HECTOR LANGEVIN. That is for finishing and fitting up the new building intended for a dining hall and workshop for the tailors, shoemakers, &c. We had not enough money by the vote of last year. Then there are the materials required for carrying on the work undertaken in connection with the penitentiary.

Public Buildings, chargeable to income, Ontario.\$61,830 65

Sir RICHARD CARTWRIGHT. What is the object in purchasing Victoria Hall, O'Connor street, Ottawa.

Sir HECTOR LANGEVIN. This is the building in which the fishery exhibits are, and we thought that we should purchase it, as it was at a low rate considering the rent which is received from it and the large lot which is adjoining and which will allow an extension of the building at a future time when it is required. The building is a good building, three storeys high, besides the basement, and besides the portion which is now occupied by the exhibits, rents are received from the building to an amount sufficient to pay more than the interest on the purchase.

Sir RICHARD CARTWRIGHT. What is the extent of the property?

Sir HECTOR LANGEVIN. As near as I can recollect it is 100 by 100 feet, and one-half of the lot is vacant.

Mr. MILLS (Bothwell). Is this what is called the Orange Hall?

Sir HECTOR LANGEVIN. Perhaps so.

Sir RICHARD CARTWRIGHT. Where the Salvation Army has its headquarters? From whom was it bought?

Sir HECTOR LANGEVIN. I haven't got the name here. I may say that it is not bought yet. We have the refusal of the property, and I think Mr. Clemow is acting for the proprietors.

Mr. MILLS (Bothwell). The Senator?

Mr. McMULLEN. Is the price finally settled upon?

Sir HECTOR LANGEVIN. Yes.

Sir RICHARD CARTWRIGHT. How far is it from these buildings?

Sir HECTOR LANGEVIN. It is on O'Connor street, a little below Sparks street.

Mr. JONES. Could not the Minister of Public Works have found room in the new building he is putting up for the fishery exhibits? It appears to me that it might be placed in some part of the new building the hon. gentleman is erecting without incurring such a large expenditure as this. To recommend this on the ground that a rent will be received from the building is, I think, delusive, because if the Government require the building at all they require the whole of it, and they cannot expect to receive an income from it very long.

Sir CHARLES TUPPER. We pay \$600 for one room, the main portion of the building, and both the cellar below and the hall above are rented for a considerable sum; and there is a large lot of land to build on in addition.

Mr. McMULLEN. Will the hon. Minister of Public Works submit the names of the present owners on concurrence?

Sir HECTOR LANGEVIN. Yes.

Sir RICHARD CARTWRIGHT. I doubt very much the policy of purchasing little pieces of property 100 feet square at considerable distance from the main building. If the hon. gentleman found it absolutely necessary to purchase a building like this, I think he ought to have obtained it closer to the present building. If this thing goes on, I think it will be found to be very inconvenient to have a number of buildings scattered over Ottawa, and in order to utilise this vacant ground, we may be let in for a very expensive building in the course of a few years.

Sir CHARLES TUPPER. We shall probably sell the vacant lot for twice as much as the whole building is costing.

Sir RICHARD CARTWRIGHT. If you go into a speculation and make something out of it, that is another matter, but it will be different from your practicing.

Mr. McMULLEN. Does any person occupy any other portion of it?

Sir HECTOR LANGEVIN. Yes, the Salvation Army has the upper floor.

Mr. McMULLEN. Who occupies the basement? Perhaps the hon. gentleman will let us know on concurrence.

Sir HECTOR LANGEVIN. Yes.

Mr. MULOCK. In 1885, we voted \$50,000 for the purpose of erecting a building in Toronto, in connection with the examining warehouse, where importers could store their goods, and the Minister represented that it was expected that this would be a good paying investment, as he intended to charge the merchants storage. I would ask how that has turned out?

Sir HECTOR LANGEVIN. That I cannot say. I suppose the Minister of Customs can give information on that point. But so far as I am concerned, the money placed in my hands for that purpose has been applied to the erection of the building, and the work is still going on.

Mr. McMULLEN. What is the entire cost of the Orangeville post office?

Sir HECTOR LANGEVIN. \$21,375, inclusive of building, site, heating, drainage and furnishing.

Mr. McMULLEN. What changes are intended to be made in the electric lighting of the Parliament buildings at Ottawa, for which a vote of \$4,000 is taken?

Sir HECTOR LANGEVIN. This is for the current year. The intention was to extend the electric light to the library, but we thought we might postpone that to another year. With this vote we have extended the electric light to the Senate Chamber and its corridors. We also put some few lamps on the terrace in order to see how far we were likely

to succeed in lighting the square, but that was only an experiment. I do not ask any money for that purpose this year.

Mr. MILLS (Bothwell). I do not see any vote in these Estimates to meet the proposition made by the municipality of Sombra, for the protection of the road and bank along the River St. Clair. As the hon. Minister knows, there was a deputation before him, and he promised to give consideration to their proposition, and to submit it to his colleagues.

Sir HECTOR LANGEVIN. I received the other day a resolution of the council of Sombra, stating that they would subscribe \$10,000 provided the Ottawa Government and Ontario Government would each contribute an equal amount. The matter was laid before my colleagues, but in the meantime I had caused enquiries to be made as to whether that was the only spot on the river damaged by the steamers passing down the river, and I found that there were two or three other spots where the same thing occurs. Therefore, I am not in a position to take the matter up now. At any rate, it could not go on at present, for this good reason, that the Ontario Legislature is not in Session and will not be for a considerable time. We should wait and see what the Ontario Government will do, and if they do as the council of Sombra have done, then I will be in a position to submit the matter to my colleagues, and, perhaps, come to Parliament for a vote.

Mr. MILLS (Bothwell). There is this difficulty: if the Ontario Legislature should take precisely the same position, by no possibility will they ever come to an understanding.

Sir HECTOR LANGEVIN. The hon. gentleman says that the stature might be the same, but the council of Sombra is the smallest body and the next body is the Ontario Legislature. The largest body will come third.

Mr. MILLS (Bothwell). The Ontario Legislature seem to think it is rather a Dominion matter. No doubt the municipalities are interested on account of the damage to property.

Mr. CAMPBELL (Kent). I would like to ask the Minister of Public Works whether he proposes to have the bar dredged at the mouth of the River Trent. A deputation waited on him and an officer was sent to Chatham to investigate and report, but nothing has been done since. It is very necessary, in the interest of navigation, that this work should be done, and I ask the Minister if he cannot see his way to put in a vote for it in the Supplementary Estimates?

Sir HECTOR LANGEVIN. This matter has not been lost sight of in my Department. I was busy at it this morning. I am not in a position to say what may be done, but we have it in mind, and I do not think it will cost much.

Grounds, public buildings &c., Ottawa.....\$10,300

Sir HECTOR LANGEVIN. The expenses on the park will not be heavy next year, as this amount will put it in such a state that it will be a credit to the Parliament and to the capital. We are not doing anything to Nepean point this year.

Mr. McMULLEN. It is not right that the electors of this country should pay this enormous sum for the purpose of beautifying the park at Ottawa. No doubt it adds to the appearance of the city, but it is not fair that it should be improved at our expense.

Harbors and Rivers, New Brunswick.....\$18,800

Mr. GILLMOR. What public interest is served by building a sheer dam on the River St. John above Grand Falls?

Mr. TEMPLE. It is to direct the lumber through the proper channel in the falls which is a very bad place. The
Sir HECTOR LANGEVIN.

citizens of the whole country are depending upon it. It is to prevent the loss of timber on the ledges and rocks and get them safely over the side of the falls.

Harbor and Rivers, Quebec.....\$25,764 52

Sir RICHARD CARTWRIGHT. What on earth is the object of this \$2,000 for the experimental breaking up of ice on the St. Lawrence ship channel between Sorel and Three Rivers?

Sir HECTOR LANGEVIN. This was intended as an experiment, but the season was too late to carry it out, and the money was expended on the ice below or at the Island of Boucherville where the commissioners were. It is well known that the ice, accumulating there, formed a dam, and prevented the flow of the water, which accordingly flowed back and produced a large proportion of the floods in Montreal and the surrounding country. This was an experiment with a view to see if it would relieve that section of the country. I am not now in a position to say whether the experiment can succeed or not, but, at all events, the flood was somewhat delayed in consequence.

Mr. MILLS (Bothwell). I think these experiments are something like that of the Greely expedition to Baffin's Bay.

Harbors and Rivers, Ontario.....\$15,430 33

Sir RICHARD CARTWRIGHT. What is this amount of \$6,000 for Summerstown?

Sir HECTOR LANGEVIN. There was a vote for a pier and bridge there, and, after going to work, we found that the bridge was larger than it was supposed to be.

Mr. WILSON. While I do not complain of the amount which is appropriated for harbors and rivers in Ontario, I do complain that the Minister of Public Works has not looked after a harbor in the section which I have the honor to represent, and which was brought before his attention a short time ago by a deputation which requested him to have a survey made of that harbor, and to see if it could not be placed in a proper state of repair. I refer to Port Burwell harbor. That harbor, although it is under the control of a company, I think, deserves the attention of the Department. In 1875 or 1876, the Government made an appropriation for the purpose of making improvements in that harbor. Since that date nothing has been done, and the harbor has gone into decay to such an extent that now it is impossible for vessels to enter that port. It will be remembered by the hon. gentleman that it was represented to him by his own political friends that this was an important port; that a large number of vessels sailing up and down the lake could find no shelter from the severe storms that take place there, and that they were unable to enter that harbor. In consequence of this, a large number of lives have been lost and a vast amount of property destroyed, through the neglect either of the company or of the Government to make the necessary repairs and the necessary provision at that point. I call the attention of the Government again to the matter. The Government has neglected, to a large extent, the Lake Erie shore and has only expended a very small amount of money upon it, and it is, therefore, responsible for the large loss of life and property upon that coast. I again urge upon the Minister to turn his attention to that, and to see if he cannot do justice to that locality, which has been withheld by the present Government since they have been in power. If the former Government could find their way to make an appropriation of \$10,000, the present Government ought to have kept the harbor in such a condition as to enable vessels to enter it with some degree of safety. It is very unfortunate for these sailors to be upon those waters during a storm. If the Government had expended a small amount of money their lives might have been saved, instead of being destroyed on account of the neglect of the Government to make the necessary improvements.

While I am willing that ample provision should be made in every part of the country to save the lives of those unfortunate people who are compelled to sail upon the lakes, I hold the Government blameable for neglecting to save the lives and property of these people, when the expenditure of a very small amount of money might have done it. I know that with the uniform kindness of the Minister of Public Works, and with his readiness to try and please everybody, friends as well as foes, he will at least turn his eyes in the direction of these harbors this summer, and see if he cannot, in the coming Session, bring down a small item such as will put the harbor into such a state as will render it more safe to the lives and property of the people.

Sir HECTOR LANGEVIN. I understand from the hon. gentleman that Port Burwell is the property of a private company, and if it is so important that that harbor should be improved, the improvements, of course, would specially benefit a private company. In that case surely the hon. gentleman might exert his influence over the proprietors of that harbor, and get them to make some proposal to the Government, or get them to put their hands into their pockets and make the improvements themselves. At present I am not in a position to submit the matter to my colleagues and to ask for a sum of money, and I do not think that Parliament would approve an expenditure of money to improve the property of a private company.

Mr. WILSON. I will explain to the Minister the position of that harbor. Some years ago it was taken from the Government by a company, who went on and made certain improvements in that locality. After a time the original company sold out their right to the harbor, or at least the company failed, and it was taken over by an American company. I believe the proprietors of that harbor live in Detroit at the present time. They have totally neglected the harbor, but they have been collecting tolls until a recent date, when the harbor became so dilapidated that they had to give it up. The Government surely do not contend that because that harbor was formerly transferred to a company, which company has failed, and has transferred it in turn to an American company, they are going, therefore, to allow the lives of people to be lost and property to be destroyed. The company as now constituted take no interest in the harbor, and I say it is the duty of the Government in the interest of the citizens of that locality to take the harbor back from the company to which they had transferred it. If they did wrong in transferring this harbor to a company who have allowed it to go to ruin, they need not try to shield themselves by saying that it would be wrong for them to make any improvements on the property of a private company. Will my hon. friend ask me to go over to Detroit and try to get that company to come back and improve the harbor? Is that the way he desires to protect the interests of the Dominion of Canada? Is that the way he desires to have Canada for the Canadians? I say it is the duty of the Government to look after the interests of their own country, and try to protect the lives and property of the people of Canada.

Roads and Bridges..... \$7,800

Sir HECTOR LANGEVIN. Bridges over the Ottawa at Ottawa City, \$6,500—these bridges and approaches are now under the control of the Government. When we asked for a sum of money last year for this purpose, it was upon guess work, and we could not know exactly in what condition the bridges were. They were found in a worse condition than we supposed, and this is for the balance of the money required for that purpose.

Public Works, miscellaneous, chargeable to income.....\$36,400

Sir HECTOR LANGEVIN. Examination in connection with the flooding of land by the River Assiniboine, \$1,200—

Hon. gentlemen will remember that last year, and at the last moment, hon. gentlemen on both sides asked that an examination should take place. It was in connection with the flooding of land by the River Assiniboine, and an examination had to be undertaken to enable the chief engineer to submit his recommendations in the matter. The question of the overflow, after being discussed in the Local Legislature in 1878, in the Session of 1885 was brought under the notice of the Dominion Government, in a memorandum by Lieutenant Governor Aikens, with a request that we should take such steps as might be considered necessary to prevent the disasters caused by the flooding of that river. I think a report has been made, but I have not seen it yet.

Mr. TROW. There was a ditch dug from the Assiniboine up to Bay St. Paul, a distance of probably a mile, but, through some fault of the engineer, when the ditch was open, the water ran the other way and flooded the country from the river. I know that from observation. It must have been through some bad calculation on the part of the engineer.

Sir RICHARD CARTWRIGHT. Who is this gentleman, McLaughlin?

Sir HECTOR LANGEVIN. He is photographer of the Department of Railways and Canals, and we also use him in my Department to photograph public works, so that we are able to judge of the position of the work.

Sir RICHARD CARTWRIGHT. What is his salary in the other Department?

Sir HECTOR LANGEVIN. \$1,400, exclusive of this amount.

Sir RICHARD CARTWRIGHT. Here is another case where an officer is receiving two salaries.

Sir HECTOR LANGEVIN. After this year the two salaries will be paid as one, and he will be paid \$1,800.

Geological Survey.....\$1,550

Sir RICHARD CARTWRIGHT. On whose recommendation was this payment of \$1,500 to François Mercier, Montreal, for a collection of Indian curios from the Yukon district, made?

Mr. WHITE (Cardwell). On the recommendation of Dr. Dawson, acting director.

Sir RICHARD CARTWRIGHT. Did Dr. Dawson give direction to have them prepared, or did he simply find that gentleman with that collection and recommended their purchase?

Mr. WHITE (Cardwell). The gentleman had the collection in Montreal. Dr. Dawson found it there, and considered it very valuable and worthy of preservation. It is now in our museum here, it was placed there last fall or during the early winter.

Mail Subsidies.....\$4,018 13

Mr. ELLIS. Was not the amount voted last year sufficient for steam communication between St. John and ports in the Basin of Minas?

Sir CHARLES TUPPER. The vote was intended to be \$4,000, only \$2,000 were obtained, and this amount is necessary in order to carry the service out.

Ocean and River Service.....\$16,950

Sir RICHARD CARTWRIGHT. With respect to the refund to W. M. McPherson, \$950, why should this amount be refunded?

Mr. FOSTER. This was for the service rendered by the steamer *Napoléon III*. At the time of the wreck of the steamer *Brooklyn*, the *Napoléon III* was got ready very

quickly and went to that vessel. No property was saved, but the lives were rescued. This is to recoup the charge.

Lighthouse and Coast Service.\$1,845 12

Sir RICHARD CARTWRIGHT. What are the circumstances under which the husband of Mrs. Guinane lost his life?

Mr. FOSTER. He was in the employment of the Department and was drowned while coming from a wreck.

Sir RICHARD CARTWRIGHT. I am not in the least disposed to object to this vote of \$100. On the contrary, it appears to be a small vote to give for such a purpose. I am rather inclined to think that the Government have erred on the side of economy.

Sir CHARLES TUPPER. I am of the opinion that they have often so erred.

Sir RICHARD CARTWRIGHT. I have not so far in the Estimates found any other error in that direction, and I, therefore, felt it right to mention this one.

Fisheries, deep sea explorations in British Columbia..\$5,000

Sir RICHARD CARTWRIGHT. What is intended to be effected by this vote?

Mr. FOSTER. The idea was, if possible, to locate the banks on which black cod were chiefly to be found. An expedition spent six weeks last year and eight weeks will be spent this year with the same object, and this vote is to cover the expenditure.

North-West Mounted Police—work and gratuity.\$1,980

Sir RICHARD CARTWRIGHT. Did Assistant Commissioner Crozier voluntarily retire?

Sir CHARLES TUPPER. After the North-West rebellion, Assistant Commissioner Crozier applied for retirement from the force, stating although his physical appearance did not indicate ill health, he was subject to a nervous affection that necessitated a change. A medical certificate was forwarded certifying that he suffered from a nervous affection.

Mr. JONES. This is a case that should be remembered in considering the case of Capt. Fortune of Halifax. I hope the Minister of Militia will bear this in mind in dealing with that case, which he has promised to take into consideration.

Mr. KENNY. I would respectfully urge the Minister of Militia to take that case into serious consideration. That officer is entitled to every consideration at the hands of the Department.

Mr. MITCHELL. Perhaps I may be allowed to go back to an item about the fisheries. On what principle has the Government discharge William Dalton from serving on board the lightship at Miramichi, after he was ordered by the Department to resume his usual work? That man lost part of his hand in firing a salute on the Queen's birthday, and he was put as an assistant on board of a lightship at the mouth of the Miramichi River, and has been there for many years—I think about nine. He was discharged this year, and the only reason I can think of for his discharge was that he voted for my unfortunate self. I suppose the Minister knows the facts, but if not I will tell him, and the reason I have given is the only reason I can imagine.

Mr. FOSTER. That, however, has nothing to do with the item.

Mr. MITCHELL. It is information I think.

Mr. FOSTER. I think the hon. gentleman has a question on the Order paper.

Mr. MITCHELL. I think I have, but I would prefer asking it now. The hon. gentleman, I think, would save time by answering it.

Mr. FOSTER. I will get the answer for him.

Mr. FOSTER.

Indians, Ontario and Quebec.....\$2,920

Mr. O'BRIEN. I would ask the right hon. gentleman if he can state when a reserve is to be set aside for the Temogamingue band on Sturgeon River. These men are willing to work but, owing, I believe, to some dispute, with the Ontario Government, they cannot do so, because they cannot get a reserve, and I would like to know if there is any prospect of this dispute being settled. I visited them two years ago, and took a great deal of interest in them, and I am sorry that they should be deprived of the means of gaining a livelihood when they are quite willing to work.

Sir JOHN A. MACDONALD. I am sorry to say that we cannot get any answer from the Ontario Government in the matter, and it remains where it was.

Indians, Nova Scotia.....\$730

Mr. LOVITT. I would like to ask the right hon. gentleman when provision will be made for the Indians on the Yarmouth reserve? They have been suffering a great deal for the necessaries of life, and for the last few years the overseers of the poor had to attend to them. There is no agent nearer than eighty miles, so there is nobody to look after them.

Sir JOHN A. MACDONALD. We have \$200 in this vote to purchase 20 acres near the town of Yarmouth as a reserve or camping ground for the Indians of Yarmouth county. They have no reserve, and for a long time they have been camping on the property which it is proposed to purchase, and which is reported to be suitable for them.

Mr. LOVITT. I may mention that my predecessor, Mr. Kinney, ordered certain amounts to be paid for the relief of these Indians, with the understanding that he would be responsible, but the accounts have never been paid.

Sir JOHN A. MACDONALD. I do not know how that is, but as regards the appointment of an agent, one will be selected when the reserve is purchased.

Mr. LOVITT. I would like the right hon. gentleman to look into these accounts I have spoken of.

Sir JOHN A. MACDONALD. I will look into the matter.

Indians, B.C.....\$10,000

Sir RICHARD CARTWRIGHT. That is a pretty large amount. What are the objects to be provided for.

Sir JOHN A. MACDONALD. That is to supplement the appropriation for the current year. The Department has been for several years carrying over the expenditure for the last quarter of the previous year and charging it against the appropriation for the next year. The total amount which is carried over and charged to the current year's appropriation is \$6,500. In addition to that a third survey party was sent out by my orders, when I was in British Columbia, to survey the boundaries in the vicinity of Metlakatla.

Indians, Manitoba and North-West.....\$249,623 88

Sir JOHN A. MACDONALD. Of this amount \$70,386.13 is to pay the Department of Militia and Defence—for credit of rebellion expenditure—for stores taken over from the expeditionary force for Indian purposes, after the disturbances were quelled in 1885. The stores have been paid for by the Department of Militia and Defence, and this sum goes to the credit of that Department.

Sir RICHARD CARTWRIGHT. Then, if I have followed the hon. gentleman aright, this sum would have to be added to the \$179,000 in the other portion of the vote, in order to give the true amount by which the expenditure of the Indian Department has exceeded the original estimate.

Sir JOHN A. MACDONALD. Yes, I may say that the remainder of the item represents an appropriation, under

the authority of an Order in Council, for stores which were served out after the disturbance, the rebels having destroyed most of the supplies. I have a statement here showing the manner in which that amount is made up.

Sir RICHARD CARTWRIGHT. I should imagine that the destroyed stores would come in 1885-86.

Sir JOHN A. MACDONALD. So it does, I suppose.

Mr. MITCHELL. Has it ever been ascertained yet how much the North-West rebellion has cost us altogether? I should like very much to know.

Sir JOHN A. MACDONALD. I suppose, to get that information, we would have to get returns from the different Departments—the Indian Department, the Mounted Police, the Militia Department, and so on.

Mr. MITCHELL. It would be very useful information for us at the next election, which we may have before very long.

Sir RICHARD CARTWRIGHT. From present appearances I should say it would go over \$7,000,000 and probably entail an additional charge of a million or half a million dollars in the shape of allowances for Mounted Police, &c.

To indemnify Mr. T. A. McLean, Registrar of Calgary, for expenses in connection with the construction of office at Calgary..... \$1,070 28

Mr. MILLS (Bothwell). What is the meaning of indemnifying Mr. McLean?

Mr. WHITE (Cardwell). Mr. McLean undertook to put up a building at Calgary to be used as a registry office. He thought it would cost about \$1,500, the sum originally voted; but just about the time the building was to be erected the rebellion broke out, and it cost a great deal more. Mr. McLean made the difference out of his own pocket, and we are indemnifying him for it.

Mr. JONES. Had he a contract with the Government?

Mr. WHITE (Cardwell). No.

Mr. MILLS (Bothwell). What was the whole cost of the building?

Mr. WHITE (Cardwell). This and the previous vote would make it about \$2,600.

To indemnify the St. Catharines Milling and Lumbering Company for the cost of the suit of the Queen vs. that Company..... \$4,000

Mr. McMULLEN. I hold in my hand a return which was brought down to the House on the 29th of May, 1886, containing all the correspondence that took place between the Government and the St. Catharines Milling Company, and also with the firm of Mr. Dalton McCarthy, a member of this House. There is also in that return an estimate by that firm of the probable cost of that lawsuit, and I will read the different items: Costs already incurred, \$3,500; deposit in the Court of Appeal as security for respondent's costs, \$4,000; Supreme Court costs—deposit as security for respondent's costs, \$500; estimated costs of appellant's solicitors and agents' fees and miscellaneous disbursements, \$300; preparing factum, estimated at 250 printed pages, &c., \$500; printing, say 300 pages, \$450; senior counsel fees, say \$1,000; junior counsel fees, say \$500; Privy Council costs—deposit as security for respondent's costs, \$1,500; solicitor's and English agent's fees, \$1,500; printing, say \$1,000; senior counsel from Canada (Mr. McCarthy) and expenses, \$5,000; junior counsel, \$1,000; contingencies, say, \$2,850; in all, \$20,000. That is the estimate; of that amount we had paid at that time \$1,500, and the balance to be provided for was \$18,500. Of that balance we paid last year \$10,000, and recently under a Governor General's warrant we paid \$4,000; that is, \$15,500 has been paid out by the Government on account of this lawsuit. I presume from this

statement that this is the balance of that amount. Of course, we would like to know whether this completely wipes out these costs or not. Now, in order to give the House some idea of the bill of costs that has been put in in connection with this matter, I may state that the entire cost to the Ontario Government for defending their side of this case was \$2,125.40, against \$15,500 paid by the Dominion. The Dominion has paid \$10 to every dollar that the Province has paid. In connection with this transaction I notice that the Dominion received altogether from the St. Catharines Milling Company \$2,125 in dues, and \$250 for a year's lease of a timber limit; so that we have only received \$2,375, while we have paid out for law costs \$15,500. Now, this does not cover all our law costs, for it appears that our law expenses are increasing annually. I notice by the Auditor General's report that last year we paid \$82,577.17 over and above these costs. We paid to 27 law firms in the Dominion \$72,592.12, an average of \$2,690 to each firm, and the balance was divided amongst 97 firms. I think it is time a stop should be put to this business. We have a Minister of Justice who certainly ought to discharge, at least, a part of the duties that have been given to these firms. I cannot understand why the country should be asked to pay the Minister of Justice \$8,000, and for every little item of law business that comes up we must employ a law firm and pay it large fees. For instance, I notice in this list the name of Christopher Robinson, of Toronto, who got \$8,442 last year, and some other firms got from \$4,000 to \$5,000. It would be much better if we could hire one of the best legal firms and pay them an annual salary to do all the business of the Dominion than travel up and down from Dan to Beersheeba for the purpose of securing influence during elections. I notice that Mr. Wallace Rae, who, I believe, is a member of a firm of which the son of the hon. Minister of Finance is a partner, drew \$3,103.64. Another law firm has drawn \$5,011. Over \$100,000 have been thrown away last year in law costs. It is a positive disgrace that money should be thus squandered.

Mr. MITCHELL. Before that item is carried, I would make a much better suggestion than that made by the hon. gentleman, to employ one law firm. I would suggest that the Government instead of litigating everything, whether on good grounds or not, should pay claims, even those about which there may be some little doubt.

Sir RICHARD CARTWRIGHT. The Government are to be congratulated on their foresight, for I understand they have considerable costs by a recent decision of a court not very far from here. Will this clear our expenses as far as this suit has gone in the Supreme Court?

Mr. THOMPSON. I understand that it clears our expenses up to date.

Sir RICHARD CARTWRIGHT. Do the Government intend to abide by the decision of the Supreme Court or to go further?

Sir JOHN A. MACDONALD. The judgment was only given yesterday.

Mr. MULOCK. As the Government have put forward this case as a test case, have they entered into an undertaking to be bound by the decision if it goes against them?

Sir JOHN A. MACDONALD. There is no such undertaking.

Mr. MULOCK. So that this procedure may happen over and over again. The hon. member for North Wellington has pointed out that we have paid \$10 in costs to lose a suit, where the Ontario Government have only paid \$1 to gain the suit. Before this item passes, the bills of costs should be laid on the Table, so that we may see where the money has gone. The account that the hon. member for

North Wellington has read indicates a liberality far in excess of anything that could be justified in any court. This matter stands in the same position as the item which the Minister of Finance agreed to hold over until he could furnish the information. If the rule is sound in one case, it is in the other. We are entitled to have the bills and vouchers, so that we can judge whether our liability is such that we should place this money at the disposal of the Government. Last year we voted \$10,000. The previous year we voted \$1,100—we voted \$11,000.

Mr. SCARTH. Oh, oh.

Mr. MULOCK. I am aware this is a source of merriment to persons which have no interest in payment of taxes, but to those who have, and who endeavor conscientiously to discharge their duties, it is a serious matter, and they are entitled to be heard. I claim that the Government should place the bill of costs on the Table. They dared not do so last year, and this year they are equally unwilling. It is, I consider, nothing short of robbery to take from the people money that is not honestly due, and pay it out without even giving this House the information it has the right to demand. This is a mode of doing business that we ought to resist.

Sir JOHN A. MACDONALD. The bills are taxed.

Mr. MULOCK. I claim there is no taxation that would bring out a result like this. If there has been taxation, let us see the bills. It may be such taxation as took place with respect to another bill, some years ago, when the bill was sent to Toronto to be taxed, and the taxing officer was a Conservative member for East Toronto *in prospectus*, and the taxation was made, not in the courts, but in the U. E. Club.

Mr. SCARTH. I would not speak if the hon. gentleman who has just sat down had not alluded to me. I laughed because, at one moment, he talked of \$1,100, and, at the next, of \$11,000, and was so muddled that he did not know what he was talking about. No wonder hon. gentlemen laugh. If he thinks to make me sit down by making personal allusion about his being able to pay more taxes than I am, because he has been left more money, he is greatly mistaken.

Sir RICHARD CARTWRIGHT. Whether or not, I think the Minister of Finance ought to furnish the particulars to us. The amounts appear to be exceedingly large, and, without entering at the present time into the discussion of the policy of the Government in disputing with the Ontario Government, it is declared—and it is not disputed either by the First Minister or the Minister of Justice—that the Ontario Government were able to get their side of the law costs limited to about \$2,000, while ours has cost \$15,500 up to the present date, with the lively prospect of costing us as much more or nearly so if we go to the Privy Council. There is now such a discrepancy established as calls for an investigation at the hands of this House. We paid before either \$11,300 or \$11,500—I do not recollect which—but the two sums together are seven or eight fold what the Ontario Government have paid, and I do not see how we can be charged \$15,000 to date for our costs in this matter.

Mr. THOMPSON. The bills of costs in this matter cannot be laid on the Table or fully taxed, until the conclusion of the suit. The hon. member for Wellington (Mr. McMullen) has, I think, a file of the papers which have been laid on the Table, containing all that can be given. The sum of \$4,000, I think, was accepted in full up to the stage to which the case has gone. So far as concerns the statement that the Ontario Government has paid only \$2,000 for its share of the cost of litigation, I am not in a position either to contradict or to verify it. If they have paid only that sum, it is evident either that they have not fully paid the bills, or that they were so fortunate as to get solicitors

Mr. MULOCK.

who will work for nothing. A suit of that magnitude cannot be paid for by that amount in any part of the world, and if the hon. gentleman has ascertained the amount from the Public Accounts of Ontario, it must be simply what has been already dispensed, and the counsel fees cannot yet have been paid.

Mr. McMULLEN. I say that this statement is absolutely correct, and that it covers all the amount incurred by the Ontario Government.

Sir JOHN A. MACDONALD. Quite absurd. That cannot possibly be. The hon. gentleman is mistaken.

Mr. McMULLEN. I give the hon. gentleman my word that I have the evidence in my possession—evidence that he will not deny to be correct.

Sir JOHN A. MACDONALD. It cannot possibly be.

Mr. McMULLEN. I can tell the hon. gentleman that the hon. the Attorney General of Ontario came from Toronto and appeared before the Supreme Court, and no doubt he never charged any fee for his own appearance, but simply for his travelling expenses. We had a Minister of Justice here within a gun shot of the court. Why did he not go and take part in the case, without hiring a counsel to come down here from Toronto? That, no doubt, is one reason why the Province of Ontario has got off with one dollar, where we have to pay ten. Then there was an objection raised by the hon. gentleman as to the estimate placed in my hands. I say that his own deputy Minister gave his estimate that \$10,000 would be sufficient to cover all costs. We have already paid out \$15,000 and more, and yet the costs are not settled.

Mr. THOMPSON. I will not dispute at all the sincerity of the hon. gentleman in making this statement. On the contrary, I thought he had taken this from the Public Accounts of Ontario; and I have no doubt that that is not a full statement of the costs which will be incurred by that Province. I suppose the other 214 members of the House are aware that expenses have to be incurred for legal services, notwithstanding the fact that we have a Minister of Justice. There are legal expenses for searches and attendance, and disbursements made by our agents all over the country; and, unless I had the gift of omnipresence, it would be impossible for me to attend to all the litigation which takes place, very often simultaneously, from British Columbia to Cape Breton. Even in the city of Ottawa it would be impossible for me to attend to my duties in the Department and in Parliament, and to attend to the litigation even in the Supreme Court of Canada. The hon. gentleman has cited one case where the Attorney General of Ontario attended himself in the court. Well, in many cases my deputy has attended both in the Exchequer Court and in the Supreme Court.

Some hon. MEMBERS. Louder.

Mr. THOMPSON. There is no occasion for me to speak louder if hon. gentlemen will not talk.

Mr. DAVIES (P. E. I.) I assure the hon. gentleman that I cannot hear one word he is saying.

Mr. THOMPSON. The hon. gentleman could hear me if those around him would cease talking. When the hon. gentleman makes a comparison between the Crown business in Ontario and the Crown business here, he forgets that the business which devolves upon Crown officers here is a thousand-fold greater than it is in Toronto.

Mr. MULOCK. The Minister of Justice does not attempt to justify the particular item under discussion. We all know that this was a case in which there was practically no expenditure in connection with the matter of evidence. There was practically no evidence. The whole point turned upon

documents and treaties. The whole thing was a matter of law, and in that regard it was no more expensive a suit than any other suit in which there is only a point of law. Last year, as my hon. friend from North Wellington (Mr. McMullen) has pointed out, the House was asked to make up altogether \$20,000. At that time the case had been disposed of, I think, in the Court of Appeal, and the Deputy Minister of Justice made a report, which was laid upon the Table, that, in his opinion, \$10,000 was quite sufficient to pay the costs. What had occurred in March, when the Governor General's warrant was issued, to justify the Government in paying \$4,000 more? Everyone who knows anything about these matters is aware that no such outrageous fees as \$4,000 are allowed for arguing a case which takes up only two or three days at most, in the Supreme Court of Canada. For what was this paid? The \$10,000 had cleared us, the Minister says; then why give \$4,000 more? If, as he says, this \$4,000 is in full up to date, where is the evidence to show it? Where are the bills which he paid in full? Let them be produced, if they will stand production. If they will not, then I can understand why the Government refuse to give them to the people, but in doing so I consider the Minister and his colleagues are guilty of an arbitrary use of power.

Hot Springs reservation, near Banff Station, in the North-West Territories..... \$52,000

Mr. WHITE (Cardwell). Mr. George A. Stewart is the superintendent of this work, at a fixed salary of \$1,800. He is a surveyor and engineer, and a man of great ability.

Mr. MITCHELL. I have heard from a person who visited the Banff Springs that, so far as he could judge, the money expended there has been well laid out. I believe that, so far as arrangements have gone, the grounds are a credit to Canada. Although I do not approve of a Governor General's warrant being taken for such a purpose, in this case I think the importance of the object justified it, as the grounds are likely to become a great attraction to foreigners as well as to resident Canadians.

To purchase 500 copies of the "Parliamentary Companion" from Mr. J. A. Gemmill..... \$1,000

Mr. MITCHELL. This "Parliamentary Companion" gave me a great deal of trouble last election. I had to send up to Ottawa and get all the volumes from 1867 to the present year, in order to defend myself against the nominee of the present Government who opposed me on the hustings. The author of this "Parliamentary Companion" had set me down as a Liberal-Conservative. I appeared first in 1867 as a Liberal, and I continued as a Liberal while in the Cabinet of Sir John A. Macdonald, while in his Cabinet I had occasion frequently to reassert my statement that I was a Liberal-Conservative. It was made a great charge against me that I had changed my politics, a thing I never did. If I am to have as much trouble in the next election on the same score, before I vote this money I want to see the book and see what they call me. I want the public to understand that I am an old New Brunswick Liberal.

Hudson Bay Expedition..... \$4,500

Sir RICHARD CARTWRIGHT. Can the hon. gentleman state the conclusion arrived at as to the length of time that navigation is possible?

Mr. FOSTER. The hon. gentleman will find that in the Marine report which has already come down. It is about three months and a half.

To make good the amount of savings bank funds stolen from the post office at Newboro'..... \$150

Sir RICHARD CARTWRIGHT. Does the Department hold itself responsible for losses sustained by its agents, or was there a special investigation made which justified this vote?

Sir CHARLES TUPPER. We do not hold ourselves responsible except under special circumstances. There was a special investigation here.

Sir JOHN A. MACDONALD. This was savings bank money that was in the hands of the postmaster.

Mr. TAYLOR. This case happened in my county. It was a burglary, the safe of the postmaster being blown open. The postmaster was one of my strongest opponents in the last election, and I am glad to see the Government has dealt fairly with him. He lost heavily himself of his own private funds, besides funds belonging to the Government. The post office inspector was sent there and investigated the matter, and I am satisfied this vote is justified.

Mr. MITCHELL. In connection with this post office business, I may as well mention here that during the last campaign, I found to my surprise that although I had circulated a great many copies of that valuable paper called the *Montreal Herald* in my constituency during the previous twelve months, I found that but very few copies had reached the people. I asked several parties to whom I had sent it and they said they had only got one or two. I found that the two distributing post offices in two towns had deliberately made away with the papers sent them from week to week; and in the town of Newcastle, I found that they were deliberately put into the furnace and otherwise made away with. I can prove that. I have said very little about it up to this time. I call the attention of the Postmaster General to the fact that such a state of things exists in my county, and that I found myself handicapped to a great extent by the fact that these two distributing post offices had made away with the papers. One of them made excuse that after the papers had lain a day or two in the office, he had not accommodation enough to keep them, and had put them out of the way, and this explanation I was prepared to accept, though a lame one.

Mr. MILLS (Bothwell). I think a statement of that sort, which the hon. gentleman says he can prove, merits the attention of the Post Office Department. The Government ought to institute an enquiry, and surely if the hon. gentleman can establish that statement, these officers ought to be dismissed. I think it is due to the House and to the country that upon a declaration of that sort, made by a member of the House, the Government should assure us that they will investigate the matter and dismiss the man who has acted in that way.

Mr. MITCHELL. I may say that in the case of one of the postmasters he was paralysed. He was an honorable and upright officer, but for months he was confined to his bed, and his son was in charge of the office. The man was paralysed and was not able to attend to the duties of the office; his son was in charge and this matter then came to my knowledge. I went to him after the election, not before, and I charged him with the fact, and he admitted that he had, week after week, put bundles of *Heralds* in the furnace, and otherwise made away with them.

Sir JOHN A. MACDONALD. Of course the Postmaster General could not investigate the matter before it was brought to his notice. Immediately the hon. member found this state of things existed in the post office it was his duty to have corresponded with the Postmaster General, and no doubt he would have caused an investigation to be held. Now that the statement is made the Postmaster General, no doubt, will cause such investigation, and if there has been any impropriety of conduct on the part of the Postmaster he will deal with it accordingly. I do not know whether the hon. gentleman desires the dismissal of those men?

Mr. MILLS. I think the Government should desire the dismissal.

Sir JOHN A. MACDONALD. I have a right to ask the question.

Mr. MITCHELL. In the case of Chatham, the postmaster was the brother of the gentleman who opposed me. I stated publicly on the hustings, on nomination day, the fact that my papers had been suppressed in the post office, and he thought I referred particularly to him. I did not, but I referred to the Newcastle post office; but the postmaster at Chatham admitted that he had obtained accumulations of the papers, that sometimes people did not come for them for three or four days, and that those accumulations he had thrown out. With respect to the office of Newcastle, against which I make the charge, I may say I did not bring it under the notice of the Department because the person in charge had been a cripple a great many years; he has become paralysed and is unable to attend to the office, which is in charge of his son; he was an honorable man and a good officer, and were it not that he was confined to his bed for months such transactions would not have taken place, and that was the reason I did not wish to make any formal complaint. But I have now made it, for I do not want to have this thing occur again with me in case of a contested election.

Sir RICHARD CARTWRIGHT. The destruction of papers, documents or letters appears to me to be a case for criminal prosecution. I forget how the law stands in that respect, but the wilful destruction of papers, letters and documents, seems to be a grave offence.

Sir JOHN A. MACDONALD. A very grave offence.

Consolidation of the Statutes..... \$24,772 30

Mr. MILLS. Who are the parties and what were the amounts distributed to each?

Mr. THOMPSON. The particulars were given last Session. With respect to the payments made to the commissioners and for putting the volume through the press, I will give the information desired on concurrence.

Relief to Sufferers by flood in Cornwall \$10,000.

Sir RICHARD CARTWRIGHT. I hope the Finance Minister will give full particulars with respect to this vote. Of all proposals, a proposal of this kind, if there be any necessity for granting it, ought to be very fully explained to this House. We ought to have full details showing how the money was spent and by whom spent. If I am correctly advised the present sitting member, and the then sitting member, was one of the parties whom the Government thought fit to entrust with the administration of this money. I may say at once that unless there was absolutely no other human being in Cornwall whom the Government could trust, it was a very indiscreet and improper thing to entrust to a gentleman, about to run an election, with the distribution of \$10,000 of money taken out of the public Treasury for any purpose whatever.

Mr. LANDRY. I would like to know the principle on which the Government proceed to pay money under circumstances of this kind. I know that in my own county a year or a year and a half ago a tornado occurred which swept down one of the principal rivers, doing great damage, and when I asked for an appropriation the answer I received was, that the Dominion Government could not recognise any such cases, but the Local Government would have to make provision. I can hardly make any distinction between that case and this.

Sir JOHN A. MACDONALD. It was a question of degree. If it is an ordinary loss by fire or water it is supposed that the Provincial Government will look after such matters. But if the loss is a large one, an enormous one such, for instance, as the fire of St. John, N.B., as the burning of Hull, and in this case where there has been great destruction of property alleged to have been caused by the canal works, then the Government assume the responsibility of coming to the aid and adding to the relief

Sir JOHN A. MACDONALD.

given by the Provincial Government and by the people. The Government assumes the responsibility of applying to Parliament to grant aid in relief of such extreme cases.

Mr. MILLS (Bothwell). The hon. gentleman might mention a further point of difference. The storm to which the hon. gentleman referred, occurred in his case a year too soon. The Cornwall accident occurred in January last. That makes all the difference between the case of the hon. gentleman and this case at Cornwall. Besides, it is a matter of far more serious consideration and as more influencing the Government than the magnitude of the calamity itself. I understand that many parties in Cornwall had subscribed liberally to relieve the wants of those who are suffering and had suffered loss, and those generous private contributions were subsequently paid out of the \$10,000 appropriated by the Government.

Sir JOHN A. MACDONALD. We do not know that.

Mr. MILLS (Bothwell). The hon. gentleman may not know it, but he has a chance to be enlightened.

Mr. PATERSON (Brant). I should like to know where the line is to be drawn. How does the magnitude of the Cornwall accident compare with the recent accident with the British Columbia coal mine? Did the Government do anything in the latter case?

Sir CHARLES TUPPER. We have placed \$5,000 in the Estimates for that purpose.

Mr. PATERSON (Brant). Was not the loss of life the cause of families being left destitute? I want to know what kind of rule is adopted in dealing with these cases?

Sir RICHARD CARTWRIGHT. The hon. gentleman cannot state to whom the money was entrusted?

Sir JOHN A. MACDONALD. We will ascertain that.

Sir RICHARD CARTWRIGHT. The hon. gentleman is not aware?

Sir JOHN A. MACDONALD. My impression is that it was sent to the mayor.

Sir RICHARD CARTWRIGHT. Because I was informed that the person chiefly concerned was the then and present member for the county, Dr. Bergin, that there were three parties of whom he was one, and we ought to have, I think, a statement of how the money was spent. Has the hon. gentleman the information?

Sir JOHN A. MACDONALD. The hon. member for Cornwall (Mr. Bergin) will be here to-morrow.

Sir RICHARD CARTWRIGHT. Then you wish to reserve the item.

Mr. BOWELL. I am informed by the hon. member for Dundas (Mr. Hickey) that the hon. member for Cornwall (Mr. Bergin) was not on the committee of distribution.

Mr. HICKEY. I have heard him repeatedly say that he had nothing to do with the distribution of the money.

Mr. MITCHELL. There was a case probably as near home as Cornwall, or nearer, namely that of Montreal. As a question of degree I fancy that the calamity there last spring was quite equal to that of Cornwall, but I have heard of no appropriation for the relief of the people of Montreal.

Mr. McMULLEN. Was it before or after the election?

Mr. MITCHELL. It was after.

Mr. McMULLEN. That accounts for it.

Sir RICHARD CARTWRIGHT. Will the papers be brought down?

Sir CHARLES TUPPER. I will bring the information down—that is who expended it, and the details of how it was expended.

Mr. MILLS (Bothwell). And who received it?

Sir CHARLES TUPPER. Yes.

To make good to persons in Prince Edward Island amount of duties paid the United States Customs on fish and fish oil (including amount paid by H. M. Churchill) lapsed balances of votes of 1884-85 and 1885-86 \$10,264 04

Mr. DAVIES (P.E.I.) When I first brought this claim to the notice of the House, the hon. gentleman declined to pay that amount on the ground that Mr. Churchill was an American subject, and as the hon. gentleman has yielded to my argument I would like to ask how he changed his mind on that subject, and why?

Mr. MITCHELL. Perhaps he became naturalised.

Sir CHARLES TUPPER. The hon. member for Northumberland (Mr. Mitchell) is right. He was an American subject and is now a British subject, and as a British subject this grant was made. He has been domiciled on Prince Edward Island, and he has carried on fishing there for 25 years. The grant was withheld on the supposition that he was still an American citizen, but when it was ascertained that, on the contrary, he was a British subject, it was decided that he should share in the appropriation. It is right that I should say that no money has been paid, because it was withheld under circumstances which would require it to be voted to him specifically by name.

Mr. DAVIES (P. E. I.) This amount was specifically refused to him before, though it is a claim which is good in its way, standing on precisely the same footing as that of Mr. Myrick. He was an American subject when he paid the money, he continued to be so when this House voted the money, he continued to be so until lately when he became naturalised, and, of course, if the hon. gentleman says that because a man becomes naturalised he is entitled to the money, then I think he must say that Mr. Myrick should be placed on the same footing. I would like to know if this is the case, because both men are placed in exactly the same circumstances in that respect, and I presume that what is done to one will be done to the other.

Sir CHARLES TUPPER. The hon. gentleman, no doubt, is more familiar with this subject than I am; but as I understand it, Mr. Churchill is now, and was when this House voted, a naturalised British subject; but the difference between him and Mr. Myrick is, that Mr. Churchill has carried on business, and has been domiciled in Prince Edward Island for over 25 years, whereas Mr. Myrick only visits Prince Edward Island during the fishing season, and is a resident of the United States.

Mr. DAVIES (P. E. I.) Mr. Myrick has been there longer than Mr. Churchill; he has been there ever since I recollect, and has carried on the largest fishery business ever carried on there. He is there part of his time, and part of the time in the United States. He resides most of the winter in Boston, but his family reside on the island. He is living there, and is to all intents and purposes a British subject, so that there is no distinction between the two cases, except that Myrick carries on a business four or five times as large as the other. Both are worthy men, and men of excellent character. I know the facts of the case, and I know that Mr. Churchill was naturalised long after the grant was made; and if the House yields to the argument, that being naturalised since entitles Mr. Churchill to the money, I hope the same justice will be done to Mr. Myrick.

Sir CHARLES TUPPER. We will look into the matter.

Mr. DAVIES (P.E.I.) I know the facts; I know that Mr. Churchill was naturalised after all this took place; I was present in the court and heard his application, so that I am not telling any hearsay.

Sir CHARLES TUPPER. Mr. Churchill is here at all events and the other is not.

Mr. DAVIES (P.E.I.) Both were American subjects, and if going through the form of naturalisation entitles Mr. Churchill to the money I understand the same principle will apply to the other.

Sir CHARLES TUPPER. The grant was certainly not intended to be given to American subjects, but to British subjects, and we are not giving anything to an American subject, but to a British subject.

Mr. DAVIES (P.E.I.) The House will see that the hon. gentleman is playing on words. How can the hon. gentleman withhold it if he becomes naturalised.

Sir CHARLES TUPPER. Then will be time to deal with the question. I would not like to offer him any inducement to become naturalised.

Mr. DAVIES (P.E.I.) Surely the hon. gentleman is not going to play with a matter of this kind; it is a matter of principle. Do I understand that hon. gentlemen intend to lay down the principle that one of these men is to be paid and not the other?

Sir JOHN A. MACDONALD. The other case is not before the Committee at all, and, until that time comes, I think we have nothing to do with it.

Mr. DAVIES (P.E.I.) Yes, we have; because we are asked to pay a case which stands on all fours with that of Mr. Myrick.

Sir JOHN A. MACDONALD. It does not stand on all fours; one is a British subject and the other is not.

Mr. DAVIES (P.E.I.) The hon. gentleman opposed the case strongly before; he said Myrick was not a British subject, and that it was preposterous and monstrous to pay him the money.

Sir JOHN A. MACDONALD. I said so, and I say so yet.

Mr. DAVIES (P.E.I.) And you say that because he has not become naturalised since for the purpose of getting this money, you will not give it to him. But if you give it to Mr. Churchill when he becomes naturalised, how can you withhold it from Mr. Myrick? On every principle of justice they are bound to pay Mr. Myrick as well as Mr. Churchill, and I think I have a right to ask the hon. gentleman to promise that he will do so.

Sir JOHN A. MACDONALD. It is quite irrelevant to the question before the Committee. The hon. gentleman has no right to put a hypothetical case. We cannot tell whether Mr. Myrick will become naturalised or not. It is time enough to discuss his case when he becomes naturalised if he does so, and when his case comes before us. This is a mere waste of time.

Mr. DAVIES (P.E.I.) Does the hon. gentleman know that he refused this payment long after Mr. Churchill became naturalised?

Sir JOHN A. MACDONALD. I am not aware.

Mr. DAVIES (P.E.I.) Well, I am; and I have seen the letter which came to Mr. Churchill refusing it. They sent the cheque by mistake, and then stopped the cheque, although he had been naturalised, and said they could not pay him before he became naturalised.

Sir JOHN A. MACDONALD. We will see about that. *Hansard* will tell us about that, and I would rather take *Hansard* than the hon. gentleman's recollection a great deal.

Mr. DAVIES (P.E.I.) I am speaking of facts which are not in *Hansard*. I am speaking of a communication made by the Government to Mr. Churchill that they had sent the cheque by mistake.

Sir JOHN A. MACDONALD. The hon. gentleman said he heard me say so in the House, and that is what I want to verify by *Hansard*, because I know from experience that the hon. gentleman's recollection is not very sound.

Mr. DAVIES (P.E.I.) Well, mine may not be very sound, but it is perfectly patent that the hon. gentleman's cannot be very sound. But I say that when this House is asked to vote \$1,500 to a man they refused to vote it to for the last two years, the hon. gentleman has a right to treat the House with common respect, and tell us why he has changed his opinion.

Mr. MULOCK. I would like to ask why the Government gave instructions not to have the cheque cashed, if they sent it, as the hon. member for Queen's says, after he was naturalised?

Sir JOHN A. MACDONALD. According to my recollection, it was simply this: The officers sent by mistake the cheque, and the moment it was found out that it had been sent, it was stopped.

Mr. MULOCK. What was the mistake, because the facts were then the same as they are to-day? If it was a mistake to pay it then, how has the mistake changed that it is paid now?

Sir JOHN A. MACDONALD. Because sir became a British subject since.

Mr. MULOCK. The hon. member for Queen's says he was one then.

Sir JOHN A. MACDONALD. Well, I suppose it was not known here.

Mr. DAVIES (P.E.I.) Yes, it was perfectly well known, because he had acted on the advice of some of the hon. gentleman's friends to become a British subject, in order to get this money, and he was advised from Ottawa that that would not do—that he could not get any money that he was not entitled to before by merely becoming a British subject. Now, I want to know why the hon. gentleman has changed his mind? And if he has changed his mind because he believes that he was wrong, and that he should pay this money to Mr. Churchill, I will ask him to do the same justice to Mr. Myrick.

Sir JOHN A. MACDONALD. When Mr. Myrick's case comes up, we will deal with it.

Mr. DAVIES (P.E.I.) What I want to know is whether the hon. gentleman will treat Mr. Myrick in the same way as he is treating Mr. Churchill, as they are both on a par.

Sir CHARLES TUPPER. When Mr. Myrick becomes a British subject even then he will not be on a par with Mr. Churchill, because Mr. Churchill's domicile has been in Charlottetown for 25 years, whereas Mr. Myrick's is in the United States now. Mr. Churchill is a Prince Edward Islander; he was an American subject. The other gentleman is an American citizen and has not become a British subject, but, simply goes to Prince Edward Island during the fishing season.

Mr. DAVIES (P.E.I.) The hon. gentleman is mistaken. They stand on a par. They both go to Boston to sell their fish, and they both remain on the island during the fishing season. Mr. Myrick has a property ten times as large as that of Mr. Churchill. His home is in Prince Edward Island, and he has a very large house there, where he resides during the fishing season.

Sir CHARLES TUPPER. Where does he live during the winter?

Mr. DAVIES (P. E. I.) I was going to tell the hon. gentleman, either he or his son goes to Boston during the winter to carry on their business, and Mr. Churchill does

Mr. DAVIES (P.E.I.)

the same. There is no difference between them in that respect. Now, before this vote is carried I want to tell the hon. gentleman why he is paying this money. It is for the purpose of endeavoring to purchase Mr. Churchill's support. Just three weeks before the election the hon. gentleman sent down to his agents there to promise to pay this money to Mr. Churchill if he would give the Government his support during the election.

Sir CHARLES TUPPER. I thought the hon. gentleman said Mr. Churchill was a highly respectable man.

Mr. DAVIES (P.E.I.) So he is.

Sir CHARLES TUPPER. He must be a dishonest man if he was bribed.

Mr. DAVIES (P.E.I.) Did I say he accepted the bribe? I do not know whether he did or not. I know the offer was made to him, and the hon. gentleman is now carrying the offer out.

Mr. SCARTH. He did accept it, then.

Mr. DAVIES (P.E.I.) Of course, he is accepting the money.

Sir JOHN A. MACDONALD. That is a bribe, I suppose, because it is being paid.

Mr. DAVIES (P.E.I.) The hon. gentleman is talking about the corruption of Mr. Churchill. Does he think that there is no wrong on his own part in using the public money to corrupt voters and to buy them; and his friends behind him laugh and glory that the public money of this country, is taken for the purpose of buying support throughout this Dominion. If the Government were honest in this matter, if they wanted to do what is right and just, if there was a spark of honesty in them, when they pay Mr. Churchill this money, which they refused before, they would pay Mr. Myrick, who stands on a par with him, his money also. But it is because they made a promise just before the election to buy his support—

Sir JOHN A. MACDONALD. I do not believe a word of it. The hon. gentleman is drawing on his imagination.

Mr. DAVIES (P.E.I.) I would like to know when the hon. gentlemen agreed to pay this money, and to whom he agreed to give it?

Sir JOHN A. MACDONALD. I never agreed to give it to anybody.

Mr. DAVIES. How did it come to get into the Estimates?

Sir JOHN A. MACDONALD. The hon. gentleman says he knows all about it. If he knows, why does he not tell it? Who went to Charlottetown? Who bought him?

Mr. DAVIES (P.E.I.) The hon. gentleman knows, I will be bound to say.

Sir JOHN A. MACDONALD. The hon. gentleman says he knows it. Does he deny that he knows it? He knows or he does not. If he knows it, he should state it; if not he should not.

Mr. DAVIES (P.E.I.) I am asking the hon. gentleman how this money comes to be put in the Estimates? The hon. gentleman knows—

Sir JOHN A. MACDONALD. I do not.

Mr. DAVIES (P.E.I.) He knows very well. It could not have got there without his knowing the reason.

Mr. HESSON. The hon. gentleman pressed to have these claims paid before.

Mr. DAVIES (P.E.I.) Certainly, I did.

Sir JOHN A. MACDONALD. That was just before the elections.

Mr. DAVIES (P.E.I.) No, it was not. The hon. gentleman knows I pressed for the payment of all the claims. If any were to be paid at all, I asked that all the men who stood upon the same footing should be paid alike; but the Premier singled out a class of men and said they should not be paid because they were American subjects and had no possible legal or moral claim. He refused to pay them. Afterwards, Mr. Churchill, acting on the advice of some friends of the First Minister, became naturalised in order to get the money, and he was told that would not do; he was told that he could not, by becoming naturalised, get the money, and his cheque was stopped. That was just before the elections. He was promised if he would give his support to the Government of the day the money would be paid.

Sir JOHN A. MACDONALD. Who promised him?

Mr. DAVIES (P.E.I.) I do not know, but I know it was promised.

Sir JOHN A. MACDONALD. How do you know?

Mr. DAVIES (P.E.I.) I know it.

Sir JOHN A. MACDONALD. The more the hon. gentleman stirs it up, the worse he makes it.

Mr. DAVIES (P. E. I.) That is the fact. The hon. gentleman has not spoken a truer word. The more it is stirred up, the dirtier it appears.

Sir JOHN A. MACDONALD. Out of your own mouth you are condemned.

Mr. DAVIES (P. E. I.) It is an immoral transaction of the worst kind of which the Premier, if he had any part in it, should be ashamed.

Mr. BOWELL. When was he naturalised?

Mr. DAVIES (P. E. I.) I cannot remember the day or the month or the year. It was a good while ago.

Mr. BOWELL. Was it two years ago?

Mr. DAVIES (P. E. I.) It was before he got his cheque, and after the money was voted in this House.

Mr. PATERSON (Brant). When did the Government find out he was naturalised?

Mr. MILLS (Bothwell). It is clear from the position the hon. gentleman took, when my hon. friend introduced this subject to the House before, that the rule the Government laid down would not entitle Mr. Churchill to any portion of this money, simply by his becoming naturalised. The decision of the First Minister was that Mr. Churchill and Mr. Myrick and others, on whose behalf the hon. member was making the claim, were American citizens, and not entitled to any portion of the money prepared to meet these claims. If that was a sound proposition, the mere fact that one of the parties, became a British subject, by being naturalised, would not revive a claim that had no value prior to that time. The hon. gentleman knows that to be the case.

Sir JOHN A. MACDONALD. No, I do not.

Mr. MILLS (Bothwell). And when the proposal was made to issue a cheque, when these parties became naturalised, the Government, very properly, countermanded the order and prevented the cheque being paid, because, according to the rule they laid down, the fact that Mr. Churchill had become naturalised would not put him in a better position. Subsequent to that, without any alteration in the circumstances, the Government thought proper to issue a cheque and pay this party. There must have been some reason other than that of mere naturalisation for making the payment. The statement of my hon. friend explains the whole affair. It is a hypothesis, and if the hon. gentleman

can present a more rational one let him do so; but, as yet, it seems to me the explanation given by the hon. member for Queen's (Mr. Davies) has the field.

Mr. SCARTH. I would like to say this to the hon. member for Queen's (Mr. Davies), that the more he stirs up what he calls a dirty business, the more he fouls his own nest. He sets out, first, by saying the Government attempted to bribe a man who was thoroughly honest; the next moment he said this man would not take a bribe. Now he says he endeavors to take a bribe.

Mr. MILLS (Bothwell). No.

Sir RICHARD CARTWRIGHT. There is this clear enough. Here is a sum paid by Governor General's warrant as emergency. It was to have been paid by votes of 1884-85, 1885-86. Thus two years have elapsed before this warrant was issued. What was the urgency which made it necessary to pay by Governor General's warrant sums that had stood over for two years? I suppose the Minister of Finance has the warrant. What date is it?

Sir CHARLES TUPPER. This money has not been paid at all. The reason that the Governor General's warrant was applied for, was to carry over a lapsed balance. The hon. gentleman set the example of carrying over lapsed balances by Governor General's warrants, and, as the investigation which was thought necessary to be held, in order to be able to draw the money, had not been accomplished in time to pay these parties before the balance lapsed, it became necessary to have the Governor General's warrant. But, in the case of Mr. Churchill, as there had been discussion as to whether he should receive the money or not, the hon. gentleman will see that the money was withheld, and no payments will be made until the House votes it. The Governor General's warrant was applied for, not in relation to Mr. Churchill, but in relation to the lapsed balance of the appropriation made for the other parties, and which became lapsed in consequence of want of information. I wish to show how hard it is to please the hon. gentleman opposite. Here was the hon. member for Queen's (Mr. Davies) standing up, night after night, year after year, making an urgent claim upon the Government to pay Mr. Churchill a certain sum, demanding that that money shall be paid *coûte que coûte*, that, right or wrong, Mr. Churchill, although an American citizen, shall be paid this money. The Government said: No, we cannot pay this money except to British subjects; and the hon. gentleman continues to advocate, in the strongest manner, the demand that Mr. Churchill, although an American citizen, shall be paid. Finally, Mr. Churchill removes the difficulty by becoming a British subject; he becomes a British subject, having lived and resided in Canada, in Prince Edward Island, for twenty-five years. When this matter is brought before Parliament, when the principal difficulty is removed and the Government yields to the demand of the hon. gentleman by proposing to pay Mr. Churchill, but not until they have the sanction of Parliament, the hon. gentleman denounces them for having done a dishonest and corrupt act. I say that the hon. gentlemen stands in this position: If it is a corrupt act for the Government, under these circumstances, to ask for the payment of money he has urged the House to pay, it was a corrupt act for the hon. gentleman to stand here advocating the claims of people, when he knows that his advocacy would be likely to obtain the payment of their claim, and enable him to retain their political support. If the hon. gentleman advocated Mr. Churchill's claim for the purpose of getting Mr. Churchill's political support, I can quite understand his annoyance at finding that the Government have decided to pay the claim.

Mr. PATERSON (Brant). They decided to out-bid him.

Sir CHARLES TUPPER. When Mr. Churchill became a British subject, and it was found he had been a resident of Canada for 25 years, the Government decided to ask Parliament that he should, under these circumstances, get the money. The moment the Government yield to the argument of the hon. gentleman, it is found it is not Mr. Churchill's interest but his own that he has at heart; that, while he thinks he can win or retain Mr. Churchill's political support by advocating his claim here, he advocates it; and, when he finds that the Government meet the case, and are disposed to ask Parliament to grant the money, the hon. gentleman denounces it as a corrupt act, and brands Mr. Churchill as a man capable of taking a bribe and of acting from most corrupt motives. In future, when the hon. gentleman demands what he calls justice for anyone, we shall come to the conclusion that he is seeking his own interest and not that of the person for whom he speaks. When he stands here, night after night, and demands that the Government shall take money out of the public Treasury to increase the salary, for instance, of the railway employés of Prince Edward Island, we shall come to the conclusion that it is not because he does not think they are now fully paid, but because he wants to bribe them by his action in this House to support him in his election, and, if he gets a salary increased by the Government, we must come to the conclusion that he will at once denounce that as a corrupt act.

Sir RICHARD CARTWRIGHT. There are two totally distinct matters here. I will deal with the one, and my hon. friend will, no doubt, deal with the other. The hon. gentleman is not correct in saying that the late Government proposed to carry forward lapsed balances, as he proposes to do, under these Governor General's warrants. When we found that it was necessary that money should be paid, we took the authority under a Governor General's warrant, and we paid the money.

Sir CHARLES TUPPER. That is what we do.

Sir RICHARD CARTWRIGHT. No, it is only under imperative urgency that the hon. gentleman has a right to use the Governor General's warrant.

Sir CHARLES TUPPER. This claim has existed for years.

Sir RICHARD CARTWRIGHT. And, if he has not paid this amount up to the present moment, it is clear that he had no right to use the Governor General's warrant in this case. The only ground for using the Governor General's warrant is that the urgency is so great that you cannot wait for Parliament to vote the money. The hon. gentleman is convicted out of his own mouth, in view of the fact that he got the Governor General to issue a warrant on the ground of extreme urgency—because that is the only ground on which the Governor General's warrant can be issued—and on the ground that he could not wait for parliamentary sanction; and yet now, three or four months after, he tells us that the Governor General's warrant is not paid. I say that is treating the Governor General's warrant with contempt, and is entirely contrary to the spirit, and I think to the letter also, of the statute in that case.

Sir CHARLES TUPPER. When the balance lapsed before the proof was established; the Government put itself in a position to pay it whenever the proof came in.

Sir RICHARD CARTWRIGHT. I say that the hon. gentleman had no right to do that; and I say that it was never done in Mr. Mackenzie's time at all.

Sir CHARLES TUPPER. We did precisely what the hon. gentleman did.

Sir RICHARD CARTWRIGHT. No, it is not what we did. When there was an urgency we used the Governor

Sir CHARLES TUPPER.

General's warrant, and we paid the money. Here the hon. gentleman uses the Governor General's warrant and does not pay the money; and now, in the last days of the Session, after Parliament has been sitting for two months, he tells us that he has issued a Governor General's warrant and has not used it; in other words, that there was no urgency, and that the Governor General's warrant was most improperly issued.

Mr. DAVIES (P. E. I.) I have heard of the assurance with which the hon. gentleman undertakes to argue political questions, but I never saw it more exemplified than I have in the last few moments. The hon. gentleman should have got up his brief more carefully before he spoke. He says that I came here and urged that these claims of Prince Edward Island merchants should be paid. So far from that, when the proposition was made by the Premier, I said there was no legal or moral claim on the part of Canada to pay those amounts at all. On the contrary, I said that the Premier was paying over \$30,000, without any legal or moral obligation, to oblige certain political friends, such as Senator Howlan and others—Mr. McDonald, the late member for King's, being one.

Sir CHARLES TUPPER. I said nothing about the hon. gentleman in connection with the Prince Edward Island claims, except as to Mr. Churchill and Mr. Myrick.

Mr. DAVIES (P.E.I.) The hon. gentleman says I came here and claimed that these men should be paid. I will tell the hon. gentleman what I did. When claims were presented which had no moral or legal sanction, and when they were passed by the Premier, I presented the claims of Mr. Churchill and Mr. Myrick, which were as strong or stronger than those that were passed; and I said, if you vote this money to Mr. Senator Howlan, who is simply a middleman, compared to Mr. Churchill, how can you deny it to Mr. Myrick, who for twenty-five years has carried on the largest fishing industry in Prince Edward Island, and has kept hundreds and hundreds of men from starvation, and has done more than anyone else to carry on that important industry. I said it was unjust to single out Mr. Howlan and his friends to be paid this money, and to refuse to pay it to Mr. Myrick because he was not of the same political persuasion. The hon. gentleman met me with the assertion that Mr. Myrick and Mr. Churchill could not have their claims accepted in this Parliament because they were American citizens. I tried to show him that that should not put them beyond the scope of our charity, because it was charity we were dealing out. There was no legal or moral claim, and I said that their being American citizens should not put them beyond a claim on our charity. I pressed this on the Government two or three times, and I was told that it was impossible that we should vote the taxes of British subjects to American citizens upon fish which they had shipped to their own country, and from whom the taxes had been exacted by the country of which they were citizens. Now, I find a vote before us here which proposes to pay one man and not the other. I have asked the Minister of Fisheries why the distinction is made, and he cannot tell me. I tell him that he has done it from political motives, and I say that he has done it from the basest motives that could actuate an hon. gentleman. He is paying the money of Canada to an American citizen.

Sir CHARLES TUPPER. We are not paying it to an American citizen.

Mr. DAVIES (P.E.I.) He says he is not paying it to an American citizen, because, forsooth, he goes into a court and goes through the form of naturalisation; and then the hon. gentleman has the assurance, after last year telling us that there was not a vestige of claim for this sum, because this gentleman has taken out naturalisation papers since,

to say that he is entitled to be paid and not the other, and to say that my course is inconsistent. I say that my course has been consistent from the first. I said, if you pay any portion of these claims, you must put all these men on the same footing, and that to single out Mr. A or Mr. B, because he is a Liberal, and to single out Mr. C or Mr. D, because he has a different view, is an act of the grossest tyranny; and I think the hon. gentleman, after sleeping over this matter, will be able to carry his charity a little further and will deal with both these men on the same footing, will put Mr. Myrick as well as Mr. Churchill on the same footing as a year ago he put Senator Howlan.

Mr. MULOCK. I should like to ask why was not the money paid over to Mr. Churchill?

Sir CHARLES TUPPER. Because it was not voted for him.

Mr. MULOCK. Why was a Governor General's warrant issued?

Sir CHARLES TUPPER. Because the money was not voted for that purpose. There were a number of other claimants. There was no statement that the money should go to Mr. Churchill. The lapsed balance was carried over for the benefit of other persons and not for that of Mr. Churchill alone. The name of Mr. Churchill has been inserted here in order to pay him the money which it was not proposed originally to give him.

Mr. MULOCK. I did not understand the object of putting Mr. Churchill's name in the Governor General's warrant.

Sir CHARLES TUPPER. It was not in the Governor General's warrant. It is inserted in this vote.

Mr. McMULLEN. Then, in sending Mr. Churchill a cheque, the Government certainly must have done something wrong.

Sir CHARLES TUPPER. That has been explained to have been an accident, it was a mistake of the officer, and was corrected as soon as the Government knew it.

To pay B. Chamberlin for extra work \$300

Mr. O'BRIEN. I would like to ask a question in connection with this vote. Mr. Chamberlin, who is well known to most of us, occupies the position of deputy head of a department, but his salary is on a very different scale. Is there any reason why that distinction should be made, that he should be in an inferior position as regards salary, when he is in an equal position to deputy heads as regards responsibility and in every other respect?

Sir JOHN A. MACDONALD. He may be underpaid.

Sir CHARLES TUPPER. He is a chief clerk, and gets \$2,400.

Mr. O'BRIEN. He gets the salary of a chief clerk, and performs the duties of a responsible deputy head.

Sir RICHARD CARTWRIGHT. Mr. Chamberlin is a good officer, but I do not think his position is equal to that of a deputy head, either technically or in point of fact.

Mr. WHITE (Cardwell). Under the Act of last Session, he has been made deputy head.

Customs \$12,710 95

Mr. BOWELL. To provide for the purchase of two steam launches at Halifax and Quebec, \$6,000—The object is to enable the officers to visit with greater rapidity the different vessels as they arrive in the harbor. I think it will be an economical arrangement rather than an expensive one. In all these ports we have to keep up a number of boats, and steam launches of this kind will take their place and can be used in running down the harbor to look after smugglers.

Mr. MITCHELL. I agree with the Minister that it would be a matter of economy, for they now have to keep row boats. As there are two steam launches now, in connection with the marine police at Quebec, I would suggest whether it is necessary to provide another one. At Halifax it is necessary. In Quebec, they are under the direction of the marine police, and would be at the service of the Customs. It appears to me that the expenditure at Quebec is not necessary. The number of vessels arriving there has fallen off very much.

Mr. FOSTER. There is only one in Quebec.

Mr. JONES. Does the Minister think \$3,000 is a large enough sum to secure a proper steamer?

Mr. BOWELL. I have been told that I was not taking a sufficient sum. My intention was to purchase launches that might visit the vessels as they arrive in the harbor, for which purpose an inexpensive open launch would do. But if the Government decide to have a steam launch sufficiently large to run out to sea, it might be made available for the purposes to which the hon. gentleman has referred. I did apply to the Minister of Marine and Fisheries to ascertain if he could not place that launch at the disposal of the Customs, in order to avoid the necessity of purchasing another vessel, and was told I could not. There was a yacht in connection with the Agricultural Department which was used in the cases of epidemic, in running to Grosse Isle. It was purchased for that purpose during the time of the cholera. I also applied to that Department to see if I could have that transferred to me; and I was told that in case of any contagious disease breaking out in Europe, or in any country with which we have communication, it was necessary that they should have a boat for health purposes to prevent the spread of disease.

Mr. LOVITT. If the Government are going to buy these boats I hope they will ask for tenders, because in the town from which I come there is a man who does nothing else but make these boats.

Excise.....\$8,674 88

Sir RICHARD CARTWRIGHT. To pay Joseph Baby, arrears of salary as an exciseman, \$230—How does it come about that you go back to 1882 to confirm a small salary? Although a small sum, this appears to be as objectionable a vote as you can well imagine, where we are called to pay a claim which appears to have accrued five years ago.

Mr. BOWELL. The Minister of Inland Revenue explained to me in the earlier part of the evening that this was not worded correctly. The gentleman entered the service at a certain sum. After the probationary term had expired he became entitled, under the excise law, to an addition to his salary. That has been running for two years and a half now, and Parliament is asked to vote the amount which he would have obtained if the law had been carried out.

Mr. MITCHELL. An explanation is needed with regard to the vote of \$200 to pay D. Quinn, exciseman, compensation.

Sir CHARLES TUPPER. The duties of this officer are in Montreal. He was sent away by the Department to an outside place to perform duties that did not regularly belong to him. While absent, the flood occurred, and his property was destroyed.

Mr. PATERSON (Brant). Perhaps some explanation will be given with respect to the vote of \$8,000 for preventive service.

Sir CHARLES TUPPER. It is for special preventive service.

Mr. MITCHELL. Is it for secret agents that the Minister of Custom has used so effectively?

Sir CHARLES TUPPER. It is to prevent illicit stills.

Mr. PATERSON (Brant). Have there been many discovered?

Sir CHARLES TUPPER. Yes.

Mr. PATERSON (Brant). Has the number increased since the duty on liquor was raised?

Sir CHARLES TUPPER. I believe there is greater difficulty; that as the duty increases the difficulty increases.

Railways..... \$335,000

Sir RICHARD CARTWRIGHT. I asked from the Minister of Railways or the Minister of Finance, a statement of the expenses and receipts up to first of the present month on the Intercolonial Railway. I have not seen that statement.

Sir CHARLES TUPPER. I laid it on the Table, and a similar statement in regard to canals.

Sir RICHARD CARTWRIGHT. Do you remember the amount?

Sir CHARLES TUPPER. About \$147,000 excess of deficiency. The deficiency has increased, I think, about \$147,000 this year over the same period of last year. I am speaking from memory.

Sir RICHARD CARTWRIGHT. You are not referring to the Intercolonial Railway?

Sir CHARLES TUPPER. Yes.

Mr. MITCHELL. I suppose the hon. gentleman can tell us how many unnecessary hands—he can tell us, perhaps, within a hundred or two hundred—were employed before the election in Northumberland, shovelling snow? Perhaps the hon. gentleman was not here at the time and cannot tell us.

Sir CHARLES TUPPER. There was snow enough without employing men unnecessarily to shovel it.

Sir JOHN A. MACDONALD. Snowballs.

Mr. MITCHELL. Yes, there were enough "snowballs," and did me good service; but there was not enough power in the Government, though what they had was used without scruple, to keep me out of this House.

Sir RICHARD CARTWRIGHT. So I understand the deficit on the Intercolonial Railway will be about a quarter of a million.

Sir CHARLES TUPPER. Yes.

Mr. MITCHELL. Statements have appeared in the public prints in relation to an offer alleged to have been received by the Government for the purchase of the Intercolonial Railway. Has there been any *bona fide* offer made, and have the Government any intention of selling the road? If they do sell that road or entertain the idea of selling it, they will do that which will not be satisfactory to the people of the Maritime Provinces. I wish to give the Government a warning. When we entered into the engagement in London embodied in the British North America Act, the representatives of the Maritime Provinces, particularly the gentlemen representing the northern part of New Brunswick, entered into that engagement as part of the contract with respect to Confederation. It forms part of the charter of this country, and any attempt to sell the road to private parties would be a violation of the charter and of the arrangement entered into by the various parties to that charter.

Sir JOHN A. MACDONALD. There is no intention of selling the road.

Sir CHARLES TUPPER.

Mr. MITCHELL. I did not think there was, though certain parties have claimed that the Government are negotiating its sale.

Sir CHARLES TUPPER. I am very glad the management is so good that the hon. gentleman dreads any change.

Mr. MITCHELL. The management of the Intercolonial Railway has not been such as is satisfactory to the country. I have no reason to be proud of its management in trying to array the electors of my county against me.

Sir RICHARD CARTWRIGHT. Is there any intention of leasing if not of selling the line?

Sir CHARLES TUPPER. No proposition of any kind has been entertained.

Post Office Department..... \$3,418 92

Mr. WATSON. Is it the intention of the Government to establish at an early day a tri-weekly mail on the Manitoba South-Western Railway? The trains run three times a week and the people are at present greatly inconvenienced.

Sir CHARLES TUPPER. I will make a note of it.

Mr. DALY. For the information of the hon. Minister and the hon. gentleman, I may say that the matter has already been called to the attention of the Postmaster General, who is about to take it into consideration. So there is no necessity for the Minister of Finance to take a note of the question.

Mr. MULLOCK. I desire to call the attention of the Minister to the case of H. G. Hopkirk. I understand that he was not in the service up to the time of his appointment to the position; and the result is entirely unsatisfactory to the service. This officer, I understand, did not reach his place in the ordinary course of promotion, but was pitchforked over the heads of many seniors, and that certainly is not a proper way of proceeding.

Sir JOHN A. MACDONALD. Mr. Hopkirk had very great experience. He was, I think, a first class clerk in the Post Office Department, and was secretary to the Postmaster General for years. He knows the work of the Department thoroughly well, and is an exceedingly able man.

Mr. WATSON. While I am obliged to the hon. member for Selkirk (Mr. Daly) for answering my question, I must say that his answer is not satisfactory, and I would be better satisfied if the Minister would take a note of the matter, because I am aware that the matter has been brought to the attention of the Postmaster General.

Sir CHARLES TUPPER. I am getting quite uneasy at the persistent attempts of hon. gentlemen opposite to press increased expenses on the Government.

Mr. WATSON. I think the service can be done cheaper by carrying it over the railway than as it is now carried.

Sir JOHN A. MACDONALD. You are mistaken there.

Mr. WATSON. The hon. gentleman has taken note of it?

Sir CHARLES TUPPER. Yes.

Mr. PATERSON (Brant). The hon. gentleman should not encourage this extravagance by making a note of it.

Mr. BRIEN. I will ask if there is any intention of changing the mail route between Kingsville and Oxley, and making it run from Essex Centre to Oxley? Largely signed petitions have been sent in asking for this change, and though it was said in the election that promises had been given that the change had been made, I was surprised to receive a communication not long ago from a gentleman in that section, who is, I am sorry to say, a strong supporter of the Government, stating that the change had not been made. I do not think the change would cost any more; the

distance one way is about twenty miles and the other only about eight, and it would be a great convenience to a thickly populated section of the country that the change should be made.

Sir CHARLES TUPPER. Perhaps the hon. gentleman will write a memorandum to the Postmaster General on the subject.

Mr. BRIEN. It is rather late for that.

Dominion Lands—Collection of Revenue..... \$37,548 88

Sir RICHARD CARTWRIGHT. How long has this claim of Mr. Joseph Whitehead and Messrs. Sifton, Ward & Co. been due?

Mr. WHITE (Cardwell). I think it arises out of their contracts on the Canadian Pacific Railway. None of the others had paid dues, and it was decided to place them in the same position as the others in that respect.

Mr. MILLS (Bothwell). Is this a final settlement?

Mr. WHITE (Cardwell). Yes. With regard to the next item in this vote—a gratuity to Mr. Donald Codd, of one month's salary for every year of service—I may state that Mr. Codd was in very poor health for a period of at least twelve months before December, 1881, when his last salary cheque was forwarded to him. The suggestion was made to Mr. Codd, through Mr. Andrew Russell, then chief clerk of the parliamentary branch of the Department, to apply for superannuation; and he appears to be under the impression that he did make an application, although such is not the case. His salary cheque ceased to be forwarded to him after December, 1881, because of the impossibility of obtaining replies from him to communications from the Department in relation to his duties generally, but particularly in regard to his vouchers for an advance of about \$500 on account of travelling in his capacity as Inspector of Dominion Lands Agencies. This neglect on Mr. Codd's part was probably due to his mental as well as to his physical condition, and not to any cause connected with his honesty or probity; and although the period when the case should properly have been dealt with is now long past, yet, in view of the faithful and valuable services rendered to the public by Mr. Codd while he was mentally and physically capable, and of the mental and physical condition in which he was known to be in December, 1881, and for a considerable time subsequently, it would be reasonable and equitable to deal with him under clause 9 of the Act 46 Victoria, chapter 8, known as the Civil Service Superannuation Act, and grant him a month's salary (at the rate he was receiving when he ceased to be employed) for each year's service during which he paid superannuation abatement, which the record shows to have been from the 11th of May, 1872, to the 31st December, 1881, or nine years, seven months and twenty days. It is to cover this expenditure that this vote of \$1,607.31 is asked for.

Mr. McMULLEN. I would compliment the hon. gentleman on the fact that he has just given the only satisfactory information to this House that we have been able to get from hon. gentlemen to-night.

Mr. MILLS (Bothwell). I would like to ask whether there were not, in Mr. Codd's time, several losses sustained by the Department in connection with receipts for land, and whether the Department ever recovered them.

Mr. WHITE (Cardwell). I cannot say what the Department recovered, but I think the only case of any money which went astray, during Mr. Codd's time, and which was not recovered, was this matter of \$500. Almost every month cases arose which showed that he was physically unfit for his position for some time before he ceased to be

employed, and I think we have really adopted the best way of settling the matter.

Liquor License Act \$26,000

Sir RICHARD CARTWRIGHT. How much has this little amusement cost us altogether? Does this close the transaction?

Sir CHARLES TUPPER. I will have to make a note of that.

Mr. MULOCK. Does this pay all fees?

Sir JOHN A. MACDONALD. My hon. friend is going to take a note of that.

Mr. MULOCK. Last year we voted \$50,000, and I think we were under the impression then that we had refunded all the fees that were illegally collected. I think we also discovered that some of the fees that had been collected never reached the Treasury at all. We were refunding what we did not get.

Sir CHARLES TUPPER. Oh, no. You cannot do that; you cannot refund what you haven't got.

Mr. MULOCK. What I mean is that it was intercepted on the way. Does this cover all the fees collected by the Government?

Sir CHARLES TUPPER. I hope so.

Mr. MILLS (Bothwell). I believe, as a matter of fact, that a number of parties to whom licenses were issued sold liquor under the license. And when the law was held to be *ultra vires*, although they had sold, the hon. gentleman refunded their license. I do not think that should have been paid after they actually sold.

Further amount required for Surveys, &c \$75,000

Sir RICHARD CARTWRIGHT. This amount apparently means that there was an under-estimate of nearly one-half of the total expenditure.

Mr. WHITE (Cardwell). There was an under-estimate, but I think the House will have no reason to complain of that in the Estimates for next year. We have to pay out large sums to the surveyors in the spring, and this year it was so late that we had to get a Governor General's warrant for this amount.

Mr. MITCHELL. Is it necessary, when so little immigration is coming into the country, that so large a sum should be expended on surveys?

Mr. WHITE (Cardwell). Yes; a good deal of this is to be expended in British Columbia and in the Yukon Territory, and in places where settlers desire to go in. I do not think any surveys are going on unnecessarily.

Territorial accounts \$400,869 52

Sir RICHARD CARTWRIGHT. I should like to know why this is introduced. Are we to have consolidated fund, capital account and territorial account henceforth and forever? Is the hon. gentleman going to open a new head of expenditure in the books of his Department?

Sir CHARLES TUPPER. This is a capital expenditure just as much as the expenditure on Dominion lands.

Sir RICHARD CARTWRIGHT. There are certain obvious conveniences in charging it to capital, but it is bad book-keeping, I think.

Mr. MILLS (Bothwell). I do not think that ought to be done, because this is part of the ordinary expense of the country, which must go on from year to year.

Sir CHARLES TUPPER. It is an extraordinary expenditure, in connection with the rebellion.

Mr. MITCHELL. Under the head of territorial account I find in the Auditor General's report on page 95 the small item of \$618.13 for the keeper of the meteorological office in the Parish of Chatham, in the county of Northumberland. A few months ago, just about the time of the elections, the keeper died, and his son, who had been for a time doing the work, though not appointed to the office, has been, I am told, removed from the position and another person put in his place. I am sure the hon. Minister of Marine and Fisheries would not deliberately do an unkind, ungenerous, and, practically, so far as this party is concerned, an unjust act. The father of the young man was a Tory of the Tories, and would have voted against me had he lived, and his son is of the same way of thinking. Besides he is one of the chief supports of a widowed mother and a large family. The young man is perfectly well qualified to carry on the establishment; and to take it away from him under the circumstances, savors a little of cruelty. If the hon. Minister had known the circumstances I do not think he would have done it. I would like to know what he says about it.

Mr. FOSTER. The matter does not come up under these estimates.

Mr. McMULLEN. With regard to seed grain, I would like to enquire what security is taken for its return?

Mr. WHITE (Cardwell). The security taken from the settler is a lien upon their land for the return of grain. They return bushel for bushel, and I am very glad to say, from all the information we can get, that we are quite likely this year or next year to get the grain returned.

Mr. MILLS (Bothwell). I would like to ask the hon. gentleman whether the greater portion of the grain the Government bought for distribution is not still in the hands of the Government.

Mr. WHITE (Cardwell). Oh, no; there is very little indeed in the hands of the Government. Last year there was some grain in excess of what was required for the Prince Albert district, and that was sold back to the contractors, we allowing them a little for it.

Mr. MILLS (Bothwell). Does the hon. gentleman remember how many bushels they have on hand?

Mr. WHITE (Cardwell). Very few. I cannot remember the exact number.

Mr. WATSON. What is the amount of wheat?

Mr. WHITE (Cardwell). I will give the hon. gentleman the information to-morrow.

Unprovided Items\$ 407,430 95

Mr. MITCHELL. I should like to remind the Minister of Marine and Fisheries of what I have above stated about the Chatham meteorological establishment. Of course I have no right to dictate to him, and do not attempt to do so. I do not pretend, nor do I want to give him advice; but I would like to know if he made the change with the full knowledge of the facts.

Mr. FOSTER. So far as I recollect the facts, the young gentleman, who has been doing the work temporarily, has never been appointed, and I think he is still in charge of the meteorological survey at Chatham. We have the recommendation of another gentleman, and are not bound, because a person has been temporarily doing the work, to appoint him permanently. I do not think the appointment has been made yet.

Mr. MITCHELL. The Minister will understand I do not pretend to dictate to him what he should do, but I wish merely to call his attention to certain facts, which, I hope, will
Sir CHARLES TUPPER.

weigh with him. I should hope that the Minister, before making any appointment, would consider the circumstances in which the young man is situated and the circumstances of his family, because the late occupant was, perhaps, one of the best officers in the county. He was an ultra Conservative, and his son, I believe, is of the same way of thinking.

Committee rose and reported resolutions.

Mr. MILLS (Bothwell). Does the hon. gentleman propose to go on with the Franchise Bill?

Sir JOHN A. MACDONALD. Yes.

Mr. MILLS (Bothwell). Will he make any amendments?

Sir JOHN A. MACDONALD. Not aware of any. I move that when this House adjourns, it stands adjourned until to-day at 1 o'clock.

Motion agreed to.

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

Motion agreed to, and House adjourned at 3:05 a.m. (Wednesday).

HOUSE OF COMMONS.

WEDNESDAY, 22nd June, 1887.

The SPEAKER took the Chair at One o'clock.

PRAYERS.

PRINTING OF PARLIAMENT.

Mr. BERGIN moved the adoption of the fifth, sixth and seventh reports of the Joint Committee on Printing of both Houses of Parliament.

Sir JOHN A. MACDONALD. Does that include the recommendation about the papers procured by the two Houses?

Mr. BERGIN. By the Department of Printing.

Sir JOHN A. MACDONALD. And not by the two Houses?

Mr. BERGIN. Oh, no.

Sir RICHARD CARTWRIGHT. Perhaps the report had better be read, that we may know what it is.

Mr. BERGIN. The committee recommend that the tenders received should be sent to the Secretary of State, with the deposits.

Mr. CHAPLEAU. The other day there was a clause in the report recommending the suspension of the law, and that the stationery of both Houses be supplied by each House.

Mr. BERGIN. We struck that out.

Motion agreed to.

NORTH-WEST CENTRAL RAILWAY.

Mr. MACDOWALL asked, What is the objective point of the North-West Central Railway? What mileage is to be built this year, if any? When the railway is to be completed? What grounds, if any, the Government have that this railway will be completed? How much of the Manitoba North-Western Railway is to be constructed this year? At what date any of the numerous railways projected to Prince Albert and Battleford are to be completed, and if not completed within a certain time, are their charters to lapse?

Mr. WHITE (Cardwell). The objective point is the Rocky Mountains, *via* Battleford. Fifty miles are to be

built this year. The railway is to be completed 1st January, 1891. The companies are bound to go on, and profess to have the means to enable them to go on. Fifty miles of the Manitoba North-Western is to be constructed this year. The Manitoba North-Western is to be continued under Order in Council of 6th May, 1885, at the rate of fifty miles per year.

INDEMNITY TO LT.-COL. ARTHUR EVANTUREL.

Mr. VANASSE asked, Whether a sum of money has been paid to Lieut.-Col. Arthur Evanturel, of the 9th Battalion, by way of indemnity for wounds or infirmity caused or contracted during the North-West campaign? If so, what is the said sum, and what is the nature of such infirmity?

Sir ADOLPHE CARON. Mr. Speaker, I am obliged to request the hon. member to consider his question as a notice of motion. On referring to the record, I find that it is impossible to answer this question without bringing down the returns which form part of the record. My hon. friend can make his motion now.

Mr. VANASSE. With the consent of the House, I move for :

Copies of correspondence with Lieut.-Col. Evanturel, of the 9th Battalion Rifles (Voltigeurs de Québec), in relation to a claim for an indemnity in consideration of wounds or infirmity caused or contracted during the North-West campaign; also, copies of all despatches, letters and medical certificates in relation thereto.

Mr. AMYOT. Would the hon. gentleman say what are his reasons?

Mr. SPEAKER. This motion cannot be put except with the unanimous consent of the House.

Mr. AMYOT. I do not object to the motion, but I would like to know the object sought by this motion. If it is to procure personal information, I think I can give all the hon. gentleman may require. If it is for some other public reasons I would like to know them. Surely he must have a motive.

Mr. VANASSE. I make this motion in the public interest, in order to ascertain what injuries he has received and amount he has obtained.

Mr. AMYOT. I move in amendment that the papers concerning all the allowances given to members of the North-West Force be furnished.

Sir JOHN A. MACDONALD. It would take years to prepare such a return.

Sir RICHARD CARTWRIGHT. The motion is as much in order as the other.

Sir JOHN A. MACDONALD. No doubt of that.

Mr. AMYOT. Then I object to the hon. gentleman's motion.

INDIANS UNDER THE ROBINSON TREATY.

Mr. DAWSON asked, What is the amount of arrears and interest claimed by the Department of Indian Affairs as being due to the Indians under the Robinson Treaties?

Sir JOHN A. MACDONALD. Arrears, 1851 to 1867, \$140,800; 1867 to 1882, \$212,293.60—total, \$353,093.60. Interest, 1851 to 1882, \$81,920; interest on \$353,093.60 from 1882 to 1887, at 4 per cent., \$70,618.60; total, \$152,538.60. Total, \$505,632.20. From the year 1882 the Government has advanced the requisite amount, as voted by Parliament each Session, to pay the full annuity of \$4 *per capita* annually.

ARMS IN THE NORTH-WEST.

Mr. HESSON asked, Whether the Government have seen an editorial in the *Battleford Herald* of the 7th instant, complaining that an order had been issued commanding the volunteers of Battleford to send in their arms for transmission to Winnipeg, to be stored there? If there is any truth in said statement, is it the intention of the Government to enforce said order?

Sir ADOLPHE CARON. An order was at first given to collect these arms, to have them inspected and repaired, and put in order at Winnipeg. Subsequently, instructions were sent, by order of the Minister, to have them cared for by the mounted police. These arms are now being collected by the mounted police, and will be returned by them. In addition to the above, 200 stand of arms have been sent to Regina, 100 to Battleford and 200 to Prince Albert, in charge of the mounted police. We have in Battleford 274,000 rounds of ammunition, of which 150,000 rounds are to be sent to Prince Albert for safe keeping, in charge of the mounted police; 5,000 have also been sent to Regina.

PROMOTION IN THE CIVIL SERVICE.

Mr. O'BRIEN, in the absence of Mr. McNEILL, asked, Whether a candidate for promotion in the Civil Service, having passed such an examination as would entitle him to rank as a first class clerk, and there being vacancies only in the second class, would he be entitled to fill a position which might thereafter become vacant in the first class, without passing a subsequent examination?

Mr. CHAPLEAU. When a course of questions is given which would cover the qualifications for first class clerk, and the answers given such as would give the applicant the number of marks required for first class, there would be no other examinations.

Mr. O'BRIEN. The answer does not seem to meet the point of the question.

Mr. CHAPLEAU. I say yes to the question.

THE SHEPPARD CASE

Mr. RINFRET, in the absence of Mr. LANGELIER (Montmorency), asked, Whether the Government have received a copy of the presentment of the Grand Jury for the district of Montreal, complaining of the conduct of the Magistrates of the city of Toronto in the case of Sheppard, charged with libel?

Mr. THOMPSON. That document was received on Monday last.

FISHING LICENSES.

Mr. BRIEN asked, Have licenses for pound-net fishing in Lake Erie, county of Essex, been refused to any person or persons making application for the same? If so, to whom and for what reasons?

Mr. FOSTER. One pound-net license each to William Haskin and George Haskin were not renewed for the season of 1887—the reason being that they had sold out all their fishing plant and apparatus. Their net was found the previous season with a large quantity of fish in it, in various stages of decomposition—not having been attended to for several days, and it appears that they had not the necessary facilities for carrying on their fishing operations.

INDIAN LAND AT CAUGHNAWAGA.

Mr. DOYON asked, Whether it is the intention of the Government to see that the Canadian Pacific Railway Com-

pany pay a reasonable indemnity to the parties entitled thereto, for land taken by the company for the construction of their line of railway on the Indian Reserve at Caughnawaga?

Sir JOHN A. MACDONALD. The Government will take care that the rights of the Indians to their land will be protected, and in case of any land being taken from their reserves for railway purposes, they will see that full compensation is got for it.

WILLIAM DALTON.

Mr. MITCHELL asked, Why have William Dalton's services been dispensed with on lightship on Miramichi after he had resumed his duties for the season, and was it by direction of the Minister of Marine and Fisheries? Had he in any way failed in his duties?

Mr. FOSTER. William Dalton is not this year in the service of the Department on the lightship on the Miramichi, and consequently it cannot be said that his services have been dispensed with. In former years his services have been satisfactory.

Mr. MITCHELL. The hon. gentleman has been misinformed. Mr. Dalton was employed by the Department, as is shown by the following letter from the agent of the Marine and Fisheries Department at St. John, N.B., as follows:—

"FISHERIES OFFICE, ST. JOHN, N.B., 3rd May, 1887.

"Mr. WM. DALTON, Newcastle.

"SIR,—I have the Minister's order to instruct you when the lightship is placed in her berth for the season, to resume on board of her your usual duties as special fishery officer among the islands at the mouth of the river. Your pay will be the same as formerly—\$30 per month from time of commencement to 1st October.

"You will be guided by former instructions as to your duties, and at the close of the season send me a report of your action.

"I have the honor, &c., &c.,

(Signed) "W. H. VENNING,

"Inspector."

So the hon. gentleman will see that he was wrong, and that this man was placed on duty by the order of his Department. On the 13th May, ten days after the previous letter, Dalton received the following communication:—

"FISHERIES OFFICE, ST. JOHN, 13th May, 1887.

"Mr. WM. DALTON, Newcastle.

"SIR,—Reverting to my letter of 3rd inst., directing you to resume your old duties on board the lightship at the mouth of the river, I am now ordered by the Hon. the Minister of Marine and Fisheries to inform you that your services will not be required this season.

"I have the honor to be, Sir,

"Your obedient servant,

(Signed) "W. H. VENNING,

"Inspector."

So the hon. gentleman will see that he has not been informed on the point, some way or other.

Mr. FOSTER. The information is correct. Before the lightship had gone to her station he had received the second order.

Mr. MITCHELL. He did receive the authority?

Mr. FOSTER. Before he had gone to his duties on the lightship he had received the second order. He was not a permanent employé of the Fisheries Department, and his was simply a case of employing a man year after year at so much a month. He was employed in previous years in that way, and paid. This year his services were not taken by the Department.

Mr. MITCHELL. I have shown that his services were taken, and the man was put on.

Mr. DOYON.

DISMISSAL OF ARSÈNE L'ÈVEQUE.

Mr. GUAY asked, For what reason was Arsène L'Èveque, station master at St. Henri, on the Intercolonial Railway, dismissed? Has an enquiry been held into the charges made against him, and what has been the result of the said enquiry?

Mr. POPE. An enquiry was made, and the result was that the gentleman in question was found guilty of neglect of duty.

CUSTOMS ACT AMENDMENT.

Sir CHARLES TUPPER moved the third reading of Bill (No. 107) to amend Chap. 33 of the Revised Statutes of Canada, respecting duties of Customs.

Sir RICHARD CARTWRIGHT. Before the Bill is read the third time, I desire, although I am afraid it is in vain, to call the attention of the House to a few points in connection with the proposed Act. I need not delay the House by enlarging on the enormous quantity and number of the changes which have been made. They amount to very nearly 200 changes made in our tariff. They cover an enormous number of the articles which are most commonly in use, and they will result, it is perfectly clear, in adding immensely to the cost to the consumer (although probably not to the amount which will be received by way of revenue) on something like twenty or twenty-five millions of dollars of our dutiable imports now. In point of fact, Sir, when you come to deduct those articles which can hardly by any possibility be taxed, I think you will find the taxes on nearly one-half of our dutiable imports, all very heavily taxed already, have been largely increased under this statute. Now, it is not possible, and the Finance Minister was candid enough to admit that it was not possible, for us to ascertain what amount of revenue will be added by this measure. The hon. gentleman intimated that but a small amount, he thought, would be added. Now, it is possible in the long run, after these changes have worked out their probable results, that the hon. gentleman may be right, but I am inclined to think that, in the first instance, it will be found that a considerable amount of additional revenue—a good deal more than the hon. gentleman gave us to understand—will be obtained therefrom. However, it is not so much with the immediate results as with the ultimate results that the House has to deal. There is no doubt whatever that through these additions to the duties of Customs it will be found that a very large additional sum will be imposed on the consumers throughout this country, that articles of common everyday use are being taxed to a very much greater extent than they were heretofore, and there is no doubt whatever that this will result in imposing burdens on the people out of all proportion to the amount of revenue which will ultimately go into our coffers. It is a matter of great difficulty to estimate to-day what the ultimate results will be; and apparently, as far as we can judge in following out the discussions and in examining the estimates submitted by the hon. Finance Minister, the total increase to the revenue which he ultimately expects to receive can hardly exceed the sum of \$500,000. I think he intimated that it would be about enough to balance the loss of duty on anthracite coal. On the other hand, there is too much reason to believe that the results to the consumers of this country will be to impose on them an additional burden of four or five millions of dollars at least, so that probably about ten times as much will be taken out of the pockets of the consuming population for the purpose of equalising the loss of duty incurred by the remission or loss of duty on anthracite coal. Now, that is an extremely serious matter. As I have shown the House over and over again, the results of our present policy are to lay

enormous burthens on the consuming classes of this country, and more than all does it appear probable that those duties will fall, with ever increasing severity, upon the great farming and agricultural class throughout Canada. I do not think, at the present moment, it could be possible to devise a duty which would fall more severely on the agricultural classes than these enormous additional duties on iron. Here we find that at a time when it is well known by every hon. gentleman the consumption of iron by our farmers is daily and hourly increasing, when, owing to the diminution in the ordinary wood supply on which they formerly relied, a much larger quantity of iron is being used on the farm; when the use of expensive machinery largely composed of iron, and iron of those very classes which it is proposed now to most heavily tax, is continually increasing on the farm; when it is probable, according to statements made to me by many important agricultural implement manufacturers, that every farmer, throughout Ontario at any rate, requires to use on his farm \$500 or \$600 worth of implements in which iron forms the chief cost, at a time, too, as I have already pointed out, when the price of all agricultural products is lower than it has ever been known to be in our recollection—that is the time which the hon. gentleman chooses for imposing duties varying from 40 to 50, 60, and sometimes 70 per cent. on the iron articles which are most used by the farmers of this country. There is, I think, not a single article much used by farmers, which will not be found to be increased in price by these duties. From his fence down to the very shoes on his horses feet, in the case of all the implements which he requires to use, and which he is requiring to use more and more every day, we find an enormous addition made to his taxation. The same is true, though not, of course, to anything like as great an extent, in respect to our other great producing industry, the lumber industry. There, too, the hon. gentleman contrives to add more or less to the cost of production; but it is after all in its incidence, on the farming population of this country that this fresh taxation will most heavily fall. Besides imposing large *ad valorem* duties, the hon. gentleman has imposed exceedingly high specific duties on iron; and those duties in this case are more unfair than usual. In the first place it is quite clear, in regard to many articles of common use, that these duties will become almost absolutely prohibitive. In some cases, I find, the hon. gentleman has been imposing duties which, on the commoner grades of goods, are likely to amount to 75 or 80 per cent.; and from the very necessities of the case these duties are likely to be very deceptive in their operation. It is not possible to impose them in such a way that they will bear equally on all classes. The dearer the article the lighter the specific duty, and the cheaper and more common the article the heavier the specific duty. Over and above all that, there is another important consideration. We know that the iron industry, like other industries of that kind, is in a state of constant transition. We have seen the most extraordinary changes from time to time in the cost of producing iron that is largely consumed for all sorts of purposes, and especially for railroad purposes; and I have noticed that when a specific duty is once imposed, it is a matter of extreme difficulty, no matter how greatly the process may be improved, to induce the Government to abate that duty. If anything like a similar reduction in the cost of making iron should occur in the next few years to that which has occurred in the past few years, it is clear that these specific duties will form a strong barrier to improvement in the manufacture. A manufacturer, safely protected by a heavy specific duty, is very little likely to trouble himself in making experiments, and very little likely, until compelled, to adopt improvements which are likely to reduce the cost of the article in which he deals. For all these reasons, I think it is extremely unfortunate at this particular

time that the hon. gentleman should propose to add so seriously to the burthens of the people of this country. At the same time I see no reasonable prospect of our farmers receiving anything like considerably better prices for the articles in which they deal, than they receive at present. Were it otherwise, this might be passed over with the less remonstrance, but as it is perfectly evident that they are going to be exposed to probably fiercer competition in the future than in the past, and as it is likely that the profits on the production of our most important cereals have gone down to such a point that there is only a comparatively small portion of our most fertile Provinces where the grains in which the farmers chiefly deal can be raised at a fair profit, I say it is impossible to conceive anything more insane than to choose that particular time for putting on a tax which must bear very heavily, indeed, on the great farming class of this country. It is not possible to ascertain exactly how much iron is consumed by each farmer in the Dominion, or at least in the older Provinces, but it is clear that the quantity is not only very large, but is necessarily constantly increasing from time to time, and it is quite clear that the result of these duties, and these iron duties in particular, will be to inflict a very heavy tax indeed upon that particular class. Sir, I wish that the hon. gentleman, even at this late date, could be induced to revise, at any rate, that portion of his proposals relating to the increased duties on iron. I am quite certain that within a few years that burthen will be even more seriously felt than it is at present; and I can conceive of no justification whatever, in the present state of this country, for inflicting such an enormous burthen on the people as these resolutions propose to inflict.

Mr. HESSON. Before the Bill is read the third time, I desire to make some remarks, which I was about to make yesterday, but which were held over for the benefit of the hon. gentleman who has just taken his seat, on a matter affecting a very important interest in this country. I refer to the question of the Government's policy, or their departure from the policy which I had hoped would be carried out, in regard to an export duty on elm logs. It will be remembered that last year the question of an export duty on pine and spruce logs was brought before this House, and the Government adopted the policy of imposing that duty. Now, I have taken the trouble to look into the Trade and Navigation Returns to see how that duty affected the export of those articles. I find that, in 1885, pine logs were exported to the quantity of 380,000 feet, valued at \$2,300, an average of \$6 per 1,000 feet in the log. After the export duty was imposed in 1886, it is a most remarkable fact that not only did the quantity of logs exported very largely increase, but the price obtained per 1,000 feet also largely increased. There stands out a still more prominent and important fact, that the Government received a very large amount in the way of duties from these exports. In 1886, 2,869,000 feet of pine logs were exported, at a value of \$24,452, an average value of \$8.50 per 1,000 feet in the log, and this in face of the fact that the Government had imposed a duty of \$1 per 1,000 feet on those logs. Now, let us come to another item, more important still, that of spruce logs, on which an export duty was also placed last year, and see how the duty affected the export of that article. If hon. gentlemen who oppose an export duty on this raw product, look at the transactions as revealed by the Trade and Navigation Returns, they must be convinced that the imposition of an export duty on both pine and spruce has not interfered with the quantity exported or with the price, except to work a benefit in both cases. This duty is required, not so much to realise revenue as to protect our native capital, the raw product of the country, which, manufactured here, would give employ-

ment to our own people and produce immense wealth. There is not a man here so devoid of intelligence who cannot see that if you take a single log, export it and have it manufactured into all that the fine arts and civilisation require, there is, in the manufacture of that single log in a foreign country, an immense amount of value, both in the employment of labor and the creation of wealth, lost to our people. It is most extraordinary the Government cannot carry out the policy a little further than they have. Let them protect the elm log, and the oak log, and the ash log, and the basswood, and all that is required by trade and commerce, as a part and parcel of the best wealth of the country. We are gradually wiping out our great forests, which are the best portion of the estate God has given this country. They are being rapidly wiped out and carried away, without our getting but a very small portion of the benefits we ought to receive from them. The Americans come here; they have taken possession of our forests; they have bought, at the Government prices, our timber limits, and are exporting our wood, our lumber by millions of feet in the rough state. Let this go on for a time, and I will ask the people where they are going to land by-and-by? It is the greatest mistake the Government can make. I wish to impress this upon the Administration, because they require to be convinced that this question is of vital importance to the people. We had far better preserve that raw product in our country for the wants of our own people, and if the Americans want it, let them pay the price and the export duty as well. Let me show the effects of this policy on spruce, a large quantity of which was exported in 1885 and 1886. I find, in the Trade and Navigation Returns, 11,165,000 feet of lumber was exported in spruce logs, realising \$49,474. We put an export duty of \$1 a thousand feet on that, and what do you think it realized during the past year, according to the Trade and Navigation Returns? It realised \$4.44 per 1,000 feet. In 1886, with a tariff of \$1 per 1,000 feet, we find that the output largely increased; we find it reached 17,560,000 feet, realising \$82,016. Let me show the result. This produced \$4.68 per 1,000 feet as against \$4.44 without the export duty, and has brought into the Treasury no less a sum than \$17,566. If I were to add shingle bolts, from which we are to receive a duty of \$1 per cord, we would have \$20,000 export duty on these articles, which, by the action of the Government, not only produced a revenue, but, to some extent, protected the country, and has given us besides a better price for the logs exported. This is a very important consideration. It is worthy the attention of the Government. I feel that, when a petition has been presented, signed by 2,000 people, asking that an export duty be put upon elm, ash logs, and other timber in the raw state—elm \$2, ash \$2, stave bolts, &c., \$1 per cord; basswood, &c., \$1.50 per cord—when a petition signed by 2,000 settlers in the county of Kent, adjacent to the American country, where those mills and factories are erected which require that raw product, and where, by the present inter-state law, they are not able to get it through their own country as they did before, the Government should not hesitate to take action. The Americans are compelled to come here. They have fleeced our lands and bought our timber, and we should get something out of them as a drawback. It is time the Government came to the rescue and said to the Americans: You must put your mills in this country; you must make your stave bolts, &c., here; and then if you export them, our people will be on an equal footing with you. What are the facts? We have thirty-five firms who are petitioning for this duty, representing a capital of \$814,000, employing 1,309 people, and with an annual output of \$1,109,000. These men, living chiefly in the western part of Ontario, asked the Government to impose a duty, and they give as their reasons that the duty would not only be in their interests as manufacturers, but would be in the interests of the farmers

Mr. HANSON.

as well. The mills in the county of Kent, for instance, are paying \$6 per 1,000 feet for elm logs, while in the adjoining county of Essex, where there are scarcely any mills, and which has been exporting its logs until scarcely any more timber is left, only \$3.50 is paid for the logs, and the farmer has to wait for the Americans to buy them. I am speaking here in the interests even of the men who do not seem to understand what would be the consequence if the American mills were put in their own neighborhood and gave employment to their own capital and industry. I feel deeply the importance of this question. I took an interest in it when the question of pine and spruce was brought up last year; I was one of the gentlemen who waited on the Government in that connection. I have shown by the Trade and Navigation Returns that we would be \$20,000 better off by the imposition of the duty than we are. My hon. friend, Mr. Perley, who is in the trade, will tell you that, after all, the duty has not decreased the price of lumber. I believe that will be verified. So hon. gentlemen will not be permitted to infer that the advance has been in lumber generally or logs particularly. I say it arises from this fact: The Americans have cut their timber. They were found here at that time with 50,000,000 feet of timber cut in the country, and they were unable to export it unless they paid that duty on the output. I was in favor of a duty of \$2 a thousand then, and I believe the country would have been so much the richer. If these logs had not been exported, we would have had them to manufacture for the use of our own people and would have been able to export the manufactured article, which would be very much better. I will read a telegram which was sent to my hon. friend from Hamilton (Mr. Brown), from Wallaceburg, which is in the centre of that part of the country which is most affected by this:

"In 1879 only one mill on Sydenham using about one million annually. Price paid for logs by Americans, \$2.50. There are now ten local mills using about 30,000,000 feet annually; price advanced to \$6 thousand; ready sale for farmers' produce and employment for their boys at home. In Patterson's locality, where no local mills, the farmer receives \$3.50 per thousand from American millmen. American mills would be obliged to move to Canada or stop manufacture. Inter-State Commerce Bill would prevent them going back into Michigan. The timber is the capital of the country; why allow American mills to reap the benefit? Compare our petition of over 2,000 names, principally farmers, with Opposition petition of about 700 names, mostly from town of Windsor, in Patterson's locality. A great many bolts are made which gives more work for men, preventing the wholesale exportation of logs. Will increase manufacture of bolts, giving employment to men and boats. When we tried for export duty, five years ago, the farmers in this locality were opposed to it. Now all are anxious for it. The same thing would be repeated in Patterson's neighborhood if exportation were prevented. Within five years there has been thousands of acres denuded of its valuable timber by American millmen, far in advance of settlement."

Now, this is a very serious matter. If the Americans are taking away our timber and leaving the stumps and the undergrowth there, we know the difficulties which arise after the most valuable product of the country has gone. We know how valuable the timber has grown to be in Canada, and especially on the frontier, with the facilities which they have there, in the neighborhood of Essex and Kent and the counties adjoining the border, where they have the water to carry the timber away to the American mills. Here is another telegram, dated Wallaceburg, which reached us here to-day from an excellent business man representing \$85,000 of capital and employing 60 or 70 men:

"Have just been credibly informed that three American manufacturers intended moving their plant to Canada had export duty been allowed to remain. The Government are making a great mistake

"H. E. NORRIS."

I ask the House to forgive me for occupying their attention so long, but this is a question of great importance. I have a petition here representing, as I have said, nearly a million of dollars of capital in which it is pointed out that

while \$6 a thousand is being paid in one county, in the adjoining county \$3.50 is being paid. I say that the most valuable product of the country is going out of it, that is, the timber in an unmanufactured state, and that is a loss which we can prevent ourselves. I ask the Government to consider this matter. I have no hope that they will do so this Session, but I do hope that, before we next meet here, the Government will have so investigated the matter for themselves and will have taken the trouble to enquire into the best interests of our people as to the protection of our forests, which are the best part of all our capital and which are so rapidly disappearing from the face of the country. After having had the experience of the export duty for the past year, they will feel encouraged to give protection to that product which cannot be replaced when once it has disappeared.

Mr. ROOME. As I was one of those who waited upon the Premier, I desire to say a word or two in relation to this matter. I differ from my hon. friend from Perth (Mr. Hesson). It seems that the members who live at a distance from the elm timber are those who are agitating this matter, but the hon. members for Bothwell (Mr. Mills) and Lambton (Mr. Lister), who are most interested in this matter, have not said a word in connection with it. I agreed at first with the hon. member for Hamilton (Mr. Brown) and other members, that the export duty should be put on, but I was wrongly informed in relation to that matter. Those gentlemen who came here from Wallaceburg and Dresden represented that they had \$1,000,000 invested, that they were employing 1,300 or 1,400 men, and were making an output of a million a year. I was informed by them that the duty on the American side on manufactured lumber had been increased to 25 or 30 per cent. On enquiry, I have found that that is not true. It was 10 per cent. before, and it is 10 per cent. now. Again, I find that they advocated the putting of a duty on staves. They are manufacturing that as well as lumber, and they wanted a duty on the export of staves and bolts, as well as upon our lumber which is sent out of the country. These gentlemen say that, because there are so many men employed in preparing lumber for export, there should be no export duty put upon this article. I approve of the action of the Minister in removing this duty, and especially at the present time, when there are many of our farmers who have contracted largely to supply timber to the American market. During the winter months, they got their timber out at a large expense. They had two or three, or perhaps five million feet of this elm timber ready for shipment when this export duty was put on. Many of them had their arrangements made for hauling this timber to the other side, and then the duty of a dollar a thousand feet was put on. Many of these young men who had devoted their winter to this work would be ruined by this export duty. In justice to the farming class of the community, I do not think it was right to impose that duty in that way. If the Government had put on an export duty which was to come in force next year or next winter, it would not have been so bad. I have not seen one farmer come here during this Session to advocate a duty on elm logs, and the farmers are the men who are most interested. Everyone who is interested in elm timber knows that, when the land is drained, the elm timber dies. In the western part of Ontario now there is a large amount of drainage going on, and, when the water is removed, the elm timber dies. The Minister has stated that during recess he was going to consider the matter, and endeavor to find a remedy for the state of affairs that exist, and I think a better plan could not be adopted. I have the honor to represent a county in which there are a number of mills manufacturing staves and bolts. These mills have been supplied with logs during the present year, and I think no harm can come from the proposition of the Minister being adopted. During the time between the present and the next Session of Parliament,

the Government can consult the farmers and the owners of timber and see what it is best to do. I am a believer in the National Policy, but I do not believe in an export duty which will do more harm than benefit to those who are most deeply interested.

Mr. PERLEY (Ottawa). I have been very much interested in the debate on this question. I was asked to join a deputation to wait on the hon. Premier upon the subject, and I have taken an interest in supporting the measure which the representative men in that industry have brought before this House. I have gone into a calculation in reference to the production of this lumber, and the sawing of these logs in the section of country where they grow, and I find that there is a sacrifice on the benefits that should arise from the manufacture thereof in this country of at least \$4.25 a thousand, under the system of free entry to the United States. I make that up in this way: I consider that the sawing of these logs in this country is worth \$3 a thousand—that the labor costs that much, merely to saw these logs ready for market; I reckon the slabs and refuse to be worth, at least, 25 cents a thousand for fuel or other purposes, and I contend that \$1 will not over represent the profit that may fairly be taken into account in sawing these logs. That calculation on the amount of lumber, which my hon. friend has given to this House as being produced annually in one particular section, in this particular branch of lumber, 52,000,000 feet, makes a total loss to the labor and general interests of this country of \$212,500. Now, I contend that the policy of protection should cover the manufacture of the products of trees in all sections of the country, as much as it covers any other trade that we have to foster and encourage; and if we allow logs to be exported free, we rob the farmers and owners of timber of their right to make a profit on those trees. My hon. friend from Essex (Mr. Patterson) has given to this House an illustration which, it seems to me, is foreign to the argument; he appears to have given the results of the manufacture of these logs in his section of the country in the interests of the exporters. If these logs are worth \$6 a thousand for pine, as has been shown, and we get \$3.50 a thousand on exporting them to the United States, there is a clear difference in favor of their manufacture in the locality referred to of \$2.50, besides all the advantages which I have stated would accrue on the sawing in this country. Hard wood timber, as is well known, grows in many localities that have not hitherto been accessible. We see this on the line of the Canada Atlantic Railway, which runs through a section of country where hard woods prevail and where much of the pine had been taken off. On the line of that railway, in the short distance between here and Alexandria, there have been 12 or 15 mills constructed for the purpose of converting the hard wood trees into money for the use of the settlers. Last year Parliament was opposed to the imposition of an export duty. I cannot, for the life of me, understand on what ground that opposition was based. I contend that those who have been cutting their trees and disposing of them at from \$2.50 to \$3 per thousand had no saving of money for the trees; they merely got paid for the labor expended in getting them to market, but they sacrificed the profit that should be gained by cutting up the trees in the neighborhood where they grow. I do not know the section of country with which the hon. member for Hamilton and the hon. member who is before me (Mr. Hesson) are familiar, and whether they possess reasonable means of transportation by rail for the products of those logs. I have no doubt, however, with the enormous increase in railway facilities, that the country will be supplied in all its principal localities with means for the transportation of whatever products that section of the country may have to dispose of. On that account, no doubt, that section of country where these elm trees grow will, in a very short time, if not already, be supplied with the means of transportation which will enable them

to convert those trees into the manufactured article, and ship the product by rail to any market they please. In view of this fact it seems to me most important that this industry should be protected by an export duty. I had, therefore, much pleasure in supporting the depositions which came here for the purpose of asking an imposition of that duty. I advocated the imposition of duty on pine logs last year of \$2, with power to the Government to raise it to \$3. I claim that the effect of that imposition of \$2 on pine logs, which was imposed last Session, has been decidedly in the interest of the country and in the interest of the log producers, as has been shown by my hon. friend from North Perth (Mr. Hesson). That hon. gentleman says the duty was \$1. My impression was that it was \$2, with power given to the Government to raise it to \$3. The effect of that duty, I submit, was to stop the shipment of pine logs from Canada to the United States, and to encourage the cutting of those logs within our own borders. That has been the result of the duty on pine logs, and I have no doubt but that the imposition of a similar duty, even a duty of \$1 per thousand on elm logs, would have a similar effect; we would produce the manufactured article, and the duty would tend to discountenance the conveyance of logs across the line to manufacturers in the United States. The adoption of a similar policy in regard to elm logs would be an indication to people on the other side of the border, those who have been taking logs across, that they cannot continue to deplete that section of the country by continuing that kind of business. I must say that I felt much regret when I learned that this duty had been struck off by the hon. Finance Minister. I felt, however, after listening to the remarks of that hon. gentleman, that the Government had given consideration to the subject, and that when the matter came up another year it would result in the imposition of an export duty. I admit there is some force in the argument of the hon. member for Middlesex (Mr. Roome), that those people who have gone in during the winter and taken out elm logs might consider it unjust that the Government should take advantage of their operations last winter to impose a duty on the logs which they had taken out to convey to their mills in the States. But the steps taken and the expression given by the Government will, I hope, give those people to understand that the matter has received the consideration of the Government, and that they will deal with it, and that sufficient evidence will be given to satisfy the Government as to the desirability of imposing an export duty. There are many sections of the country that produce growths of hardwood, such, for example, as the section which the hon. member for Cornwall (Mr. Bergin) is going to open up by railway communication, and many other localities. I, therefore, consider it important that the Government should give attention to this subject, and no doubt they will impose a proper duty upon this article, and that thereby labor may be protected and our people enabled to deal with this trade in the best manner possible, and direct their efforts to the conversion of timber into money.

Mr. EDWARDS. From the beginning of the Session up to the present time I have not taken up the time of the House for a single moment, and I would not, on this occasion, occupy it for any length of time, even if I was capable of doing so, but for the reason that I wish to record my strong approval of the course of the Government in withdrawing the duty proposed on the export of elm logs. My hon. friend from Ottawa (Mr. Perley), who has just taken his seat, is a protectionist. He believes in imposing a protective duty as against the agriculturists of this country on all that they import, but he also wishes to impose an export duty on their product. I hold that elm trees, growing on our farmer's lands, are as much his property and his products as are his wheat, barley, peas, and everything he produces, and it would be a very great injury to impose an

Mr. PERLEY (Ottawa).

export duty on his products. To carry this principle fully into effect, it would be just as reasonable to say that the wheat and barley of this country must be manufactured in this country; that we shall not export it as it is grown, but must manufacture it into meal. I think that would be entirely wrong, and I think it would be quite as wrong to impose this export duty on elm logs. Now, I would like to ask the hon. member for Ottawa (Mr. Perley), if he would like the principles he has advocated carried fully into effect, because, if they were, the lumber which he produces and which I produce, would not be exported in boards or deals, but would have to be manufactured into sashes, doors, and other articles of that kind.

Mr. PERLEY (Ottawa). I did not take that ground at all. I took the ground of protection to the manufacturer.

Mr. EDWARDS. That our boards and deals, instead of being exported in that form, would have to be manufactured into sashes, doors, blinds, boxes and other articles of that kind.

Mr. MILLS (Bothwell). And give employment to labor.

Mr. EDWARDS. Then, with regard to the idea which seems to prevail in the minds of a great many hon. gentlemen, that the Americans would have to pay this export duty instead of the people of this country, I say that idea is entirely wrong. The time has not arrived, and will not arrive for some time, when our lumber will be an absolute necessity to the Americans. A great many believe that the price of our lumber is fixed in this country, but that is a fallacy. The price is fixed in the American market, and we have not one word to say in fixing the price. Elm logs are not a necessity to the people of the United States. The question with them is simply one of transport, because there is in the Southern States a far greater quantity of lumber than we have in this country, and it is simply a question of where the lumber can be transported from most cheaply. I say that it would be a great injustice to our farmers, a class of the community to which this country is far more indebted than to any or all other classes combined, to impose an export duty on elm logs. I am glad, indeed, that the Government have seen fit to withdraw that imposition, and I hope that nothing will occur during the recess to cause the Government to change their mind. They need not fear a defeat in any degree in a matter of that kind. For my own part I may say that I came here to advocate what I believe to be in the country's interest, and not those which are in the interest of any party; and when the Government move as they have done in this matter, or in any other matter which I believe is a matter of justice to a class to whom this country is far more indebted than to any other class—that is, the agricultural class—when the Government do this, they shall always have my hearty support.

Mr. ARMSTRONG. I add my congratulations to those of the hon. gentleman who has just spoken, to the Finance Minister for the stand he has taken in this matter. I am very glad that he has seen fit to withdraw this obnoxious impost. It shows that, tossing for so many years on the stormy sea of politics, it has not taken out of him all the milk of human kindness, and that he still feels for the poor struggling masses of the country. The hon. member for North Perth (Mr. Hesson) and the hon. member for Hamilton (Mr. Brown) made glorious speeches on the great benefits which would arise to a certain class of the community from this duty, and the hon. member for Hamilton made a statement about the price which was paid for these logs in the country—and I think the hon. member for Perth confirmed the statement, viz., that the price paid was \$6 a thousand. Now, during the last two years these logs have been cut on my land, and during that time the highest price paid

for them has been \$3.75 per thousand, and that in face of the fact that there were two mills within four miles of the ground on which they were cut. I may say that I am not interested in the matter, because I do not derive a cent's worth of benefit, because I allow them to be taken out simply because I want to get the land cleared, and the people who take them out cannot afford to pay for them at the price they get at present. That being the state of things where there are mills, the contention of the hon. gentlemen, if carried, would simply amount to this: that the men who own the mills would be enabled to still further reduce the profits of these poor struggling settlers, and give them \$1 a thousand less for their logs. Then there are large tracts of country in the west and south-west of the Province of Ontario, where the people are not within reach of mills at all, and if the views of these hon. gentlemen should prevail, the result would be that these poor creatures would either have to take what the Americans—with whom it is, as the last speaker said, simply a question of transport—saw fit to give, or be cut off from their markets altogether. That is the system which these hon. gentlemen advocate with so much eloquence. I need not tell those who have lived long in Ontario, of the hardships of the early settlers in that Province. We were cursed by a system introduced by the Government—not by the present Government; I do not blame them for it, but I blame the Government of that day—of handing over the lands of the country into the hands of speculators. The country was cursed from one end to the other, and the result was that prices running all the way from \$2 to \$10 an acre had to be paid for wild land, by honest, sturdy, hardy settlers, who spent a lifetime in paying these speculators an amount which the Government should never have allowed them to collect. The same thing is going on now. In the western part of Ontario there are men who would be afflicted by this proposed change—men who are paying \$10, \$15 and \$20 an acre for wild land, land which is hard to clear; they have been toiling and striving to make a little part of their living from these elm logs, and now these gentlemen come forward and say: Take 25 per cent. off the earnings of these poor men in order to benefit the mill owners. The hon. member for North Perth (Mr. Hesson) boasts that he has a petition representing nearly one million dollars of the capital of these monopolists, and he asks that this provision may be enacted in their favor and against the interests of these poor people. These men—the hon. member for North Perth (Mr. Hesson) and the hon. member for Hamilton (Mr. Brown)—are samples of the class to which they belong—men who look down with contempt from their solitary grandeur upon these poor people, and ask this House to sanction taking the bread out of their mouths. That is precisely what this system amounts to. The whole tariff is a hardship on the farming community generally, and an increasing hardship; and yet this Session you have been increasing the burden upon that class from one end of this country to the other. In the older settlements of the country, where the farmers are comparatively wealthy, they are more able to bear the burden than those in the more woody and sparsely settled districts. I must say again that I commend the humanity of the Minister of Finance in refusing to impose this additional tax, and I hope it will never be imposed. In the interest of Muskoka and other northern parts of this country, I am sorry the export duty on spruce logs has been imposed. The Dominion Government, where they have jurisdiction, and the Provincial Government, where it has jurisdiction, have deprived the settlers of the pine of the country, and I suppose a great deal may be said in favor of that course. The lumberman is always the pioneer of the settler; he gives the settler employment in the winter, and thus enables him to procure the necessaries of life for himself and his family in the early days of his

settlement; therefore the restriction on pine may be justifiable. But the spruce has been left to the settlers, and I hope the duty upon spruce logs will be wiped out. In Muskoka and the other northern parts of Ontario, where there is a hard and rocky soil, spruce logs are almost the only resource left to the settlers out of which they can make anything; but by the duty imposed one-fourth of this advantage is taken from them. I hope that this system will soon change, so that these people may get some chance to live.

Mr. MASSON. I do not wish to prolong this discussion, especially that branch of it which relates to the export duty on elm logs. That, I think, has been sufficiently discussed already, especially as the Minister has promised to consider it during the recess. I desire, however, to say a few words on the question of the effect of the present tariff and the proposed tariff on the agricultural community of this country. It has been the refrain of hon. gentlemen opposite, from their leader to the last of his followers, that the present tariff always has resulted in the oppression of the agricultural classes. Now, as a representative of a rural constituency, I do not think I would be doing justice to my constituency or to myself if I sat silently by and heard those statements, which I consider far from the facts, hurled across the House. I have been well acquainted with the requirements of our agricultural classes from boyhood up; I know well what the condition of that class was before the introduction of the National Policy, and I know well its condition now, and I am free to assert that the agricultural classes of this country to-day are far better off in every respect than they were before the introduction of that policy. We have been treated to-day to a very brief speech from the hon. gentleman who has lately assumed the leadership of the Opposition; I refer to the hon. member for South Oxford (Sir Richard Cartwright). In the brevity of his speech he is worthy of imitation, and I will try to imitate him. That hon. gentleman dwelt much on the same refrain, that the duties now proposed will be detrimental to the agricultural classes. He ventures the prophecy that the increased duty on iron will add to the price of everything composed of iron, and will prevent improvement in machinery. These are exactly like the prophecies that were made, perhaps by the same hon. gentleman—at any rate, by many gentlemen who think with him throughout the length and breadth of this country—in 1878, when they said that the increased duties would increase the price of agricultural implements and retard improvements. Have those prophecies been fulfilled? Have not agricultural implements improved since then more rapidly than they ever did before, and has not the price of agricultural implements decreased? We were told also that the higher duties on woollen, cotton and other goods would increase their prices in this country; we were told that every cent of duty that was imposed would be added to the price. Has that been the case? So far from that, tweeds and other woollen goods manufactured in Canada have greatly improved under the National Policy, and are now greatly superior to those which were manufactured prior to the introduction of that policy; and, notwithstanding their improvement in quality, these goods have decreased in price, I am informed by those in the trade, about 25 per cent. We are told, however, that the price of farm produce has decreased, while everything that the farmer has to purchase has increased in price. I deny that that is the case. I look into the farmers' houses and over their farms, and I can place my eyes on very few things that are actually imported. Of all classes in this country, I believe the agricultural class consume the fewest imported goods, and, therefore, the burden of the import duty falls most lightly upon that class. In the face of these facts, I hope the hon. gentleman will allow the House, especially

those on this side of it, to believe that his prophecies to-day will fall as far short of realisation as did those he made in 1878. With regard to the effect of the tariff on the price of farm produce, we find, by looking at the Trade and Navigation Returns, that the importation of wheat into this wheat-growing country in 1878 was about 8,000,000 bushels per year, and reducing flour to bushels of wheat, we find that altogether about 7,250,000 bushels of flour and wheat were imported for home consumption into Canada in that year. Now, how has the duty imposed on wheat affected that importation which came here to compete with the Canadian-grown article? We find, by the last Trade and Navigation Returns, that the importation of wheat and flour has fallen to about 1,000,000, or about one-seventh of what it was in 1878. In coarser grains, especially in those that were imported, namely, oats, peas and corn, we find that there has been a vast reduction also. While, in 1878, we imported oats over 2,000,000 bushels, in the past year we only imported some 98,000 bushels. While, in 1878, we imported 7,500,000 bushels of corn, that competes with all the coarse grains of this country, and the free importation of which tends to reduce the price of all coarse grains, we imported last year only some 1,750,000 bushels. Referring to the exports, I find that, in wheat, we actually exported only about the quantity we imported, seldom running over 1,000,000 more, so that the quantity we had to export was just a trifle over what we were importing, from year to year, and in some years it was even less. We were told that, notwithstanding that state of affairs, the duty placed on American wheat to prevent it coming in, would, in no wise, affect the price. The hon. member for South Oxford (Sir Richard Cartwright), on a former occasion, told the House that the price of wheat had actually fallen instead of increased; and he insinuated, if he did not assert, that we had been told the duty would increase the price. If any statement was ever made that the duty would increase the price, that preventing American grain coming here would actually increase the price, that statement must be taken to mean that it would increase relatively the price, comparing, not the price of one year with another, but of one market at the same time with another. It will be admitted that Liverpool was, at that time, the ruling market of the world in reference to the price of wheat; and when the hon. member for South Oxford told us that, in 1878, wheat was at 90 cents a bushel in Toronto on the 1st October, he forgot to tell us that it was at that time \$1.41 in Liverpool. While it ranged from 90 cents to \$1 in Toronto, it was from \$1.41 to \$1.50 in Liverpool. The difference shows, taking on an average the highest and the lowest of the prices, a difference of 51 cents between the Liverpool and Toronto prices; and when the hon. gentleman told us that wheat in Toronto, on the 1st October last, was only 76 cents to 77 cents, he forgot to tell us that while it had fallen in Toronto from 90 cents to 76 cents, it had fallen in Liverpool from \$1.41 to 38½ cents. It would be absurd to suppose, if the Liverpool market governs this market, that wheat would be higher, in 1886, in Toronto than it was in Liverpool, while in 1878 there was 51 cents difference in favor of Liverpool. The relative price has actually increased, and we have come some 30 cents nearer the Liverpool price. Taking the 1st October, 1886, and quoting from the *Toronto Globe and Mail*, which the hon. gentleman quoted, we find 21 to 22 cents was the difference between Toronto and Liverpool; while, going back to 1878, we find the difference was 51 to 52 cents. It may be urged that there have been other elements brought to bear to cause that decrease, that there has been a reduction in rates of freight, but I call the attention of this House to the fact that the present difference between Toronto and Liverpool will not pay the freight. Consequently, the consumption of our own wheat in our own country has had the effect of making us, to a certain extent, almost independent

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of the Liverpool market, and we are not actually governed by it. The excess we have to export has to go there, but, as the purchasers are not forced to export as they buy, they can wait their opportunity, and, on an average, have the markets in Canada higher, in proportion to the markets in Liverpool, than the freight between the two countries would actually warrant. I submit that the reason for this reduction is, that we have, by the development of the industries in the country, increased the consumption; and by preventing or restricting the importation of American grain, we have tended to allow the Canadian wheat to be consumed in Canada. Besides the large quantity that was imported, there is this view of the case to be borne in mind, that the American wheat harvest comes in earlier than ours, that their mode of harvesting and threshing has a tendency to bring their wheat earlier in the market than ours, and, before the tariff, they could take advantage of the Canadian markets when they were high, so that by the time the Canadians were ready to market their grain, the large milling establishments were supplied with American grain. Therefore, the dealers who bought from the farmers had to sell to others in the cities, and they had to export to Liverpool. I do not intend to occupy the attention of the House by going into the other matters, referring to other crops. I only call attention to the large decrease in the importation of coarse grain. I had, at an early stage, prepared figures in reference to the coarse grains. What I said in reference to the relative price of wheat, as compared with the Liverpool market, applies with equal force to the relative prices of coarse grains as compared with the American market, only that the change is in this way: That, whereas, before the introduction of the tariff, coarse grains in the United States were always a little higher, they are now generally the other way. Whenever the occasion did arise, when the price was higher in Canada than in the United States, this country was flooded with American grain, and down would go the Canadian prices to their normal condition, a little below the American. Now, especially for the last two years, the tendency has been the other way, and our prices have been, on the average, a few cents above the American.

Mr. MILLS (Bothwell). Especially barley.

Mr. MASSON. As I stated, I do not intend to go into the details of these grains. I spoke rather to call the attention of the House to the fact that the tariff had a tendency to relatively increase their prices. But there is one exception, and that is barley. We never did import any barley to any extent, consequently the duty placed on barley has no effect in that direction. It has, however, no injurious effect, because we are in the same position now that we were before. In 1878, we exported seven and a quarter million bushels, and last year we exported eight and a quarter millions. If we had the control of the American tariffs instead of our own, if we could take off the duty on Canadian barley going into the United States, that, no doubt, would be a great boon to the farmer. Without detaining the House any longer, I may say that I trust that the prophecies of the hon. member for South Oxford (Sir Richard Cartwright), in reference to the increase in the price of agricultural implements and of everything else made from iron, will be no better realised than the prophecies which he made in 1878. I feel confident that in this he will be absolutely mistaken. If anything, the tendency of the increased tariff will be to foster improvements in agricultural implements, and especially the specific duty, because, in that case, if the same duty has to be paid on an inferior article as is paid on a superior article, the person exporting it from the other side into this country would certainly feel more disposed to pay the duty on the better article, and in that way I think the whole tendency of the tariff—especially the specific duty—will be to improve our machinery.

Mr. SEMPLE. I admired very much the remarks of the hon. gentleman on the other side who was speaking so very eloquently in the interests of the logs. That is a small interest and a sectional interest, but I must give credit to the hon. gentlemen for the way in which they endeavored to make the best of their case. That, however, is a matter in which only a few will be affected, but the question which the hon. member for North Grey (Mr. Masson) has touched is far-reaching. Anyone who knows anything of agriculture knows that the agriculturists of this country use every day in their life something which is made of iron; and it is nonsense for the hon. member for North Grey to tell us that the increased cost of the raw material will not increase the cost of the articles which the farmers use. I have here some circulars which I will read, and which were sent to a friend of mine. One of them is from Wood & Leggar, of Hamilton:

"Owing to recent changes in Customs Tariff, we beg to advise the withdrawal of all former quotations; we will be pleased to furnish prices upon application."

Another is from Adam Hope & Co., of Hamilton:

"Owing to the greatly increased duty on iron and steel, we have to advise you that all quotations on cut nails, iron and steel, and all goods manufactured therefrom, are hereby cancelled."

The other is from the Massey Manufacturing Company, of Toronto, which says:

"To give you an example of how rapidly material has advanced in price, we may say that iron and steel, of various sizes and shapes, have advanced during the past week or ten days to the enormous extent of \$10 to \$15 a ton, and pig iron has gone up \$2 to \$5, and everything else in about like proportion. Since writing the above, and after careful consideration, we have about concluded to issue a new advanced price list on June 1st, and, therefore, will not guarantee to fill any orders at present prices taken after that date."

Now, if this means anything, it means that there is to be an advance, and that advance takes place on everything which the farmer uses. We even heard from a gentleman from the Maritime Provinces that, in Prince Edward Island, there would be a considerable loss to them in regard to the iron which is used in the boats they build for fishing purposes. The member for North Grey (Mr. Masson) is evidently speaking a great deal by theory. I see by the "Parliamentary Companion" that he is a lawyer. He is nothing the worse for that, but these men do not speak generally from practical experience of these matters, as the farmers do. He has told the House that agricultural implements were high in price and that they had got cheaper. That is a reasonable thing when you consider the circumstances. I remember that the first reapers which were produced for the farmer lasted for twenty years, but those that are manufactured lately are made to sell, and are very slim and flimsy in their construction. It is the same with regard to stoves. In fact everything is flimsy nowadays, and, though it may be true that these things cost less, still they are dearer in the end. I can assure the House, and these circulars that I have read show, that the price of iron is increased, and, if a person wants to build a grist mill or a saw mill, or buys a threshing machine, or uses implements of any kind, he has an increased price to pay, and I consider that at the present time farmers are not in a position to stand this increased raid on their pocket-books. The decrease in the value of farms in Ontario from 1883 to 1884 was \$30,000,000, and there were 196,000 acres cleared. Calculating that at \$20 an acre, it would make an increase in value of \$3,920,000, or a total decrease of more than \$33,000,000 in one year. In the riding which I represent, I find that in the last five years the population has decreased by about 1,100; so there is no reason for asking the farmers to pay this extra tax which is to be put on articles which they use. Although I am a new member in this House, I have seen during this Session very little factious opposition. The people are aware that there

is now a very heavy debt and that, with the addition of something like \$5,800,000 to that debt, a duty must be put on somewhere, but there ought to be some discretion used, and I hope we shall have an opportunity of seeing who is in favor of putting an additional burden on the producers and who is not. There is another fact quite as important, and that is the feeling with which Great Britain regards this increase on the iron duties. While we sang yesterday with the utmost loyalty the National Anthem, and I hope we were sincere in it, I consider we have good reason to doubt the loyalty of those who have legislated against Great Britain in our tariff. In reference to the iron duties, I will read you an article from a leading journal in England, the *Standard*, which says:

"This is the way her statesmen practically illustrate their conception of Imperial confederation. The obvious truth is that Canada has given no thought to our interests, but only to her own. If the new tariff is persevered in, instead of drawing nearer together, the colony and the mother country must drift further apart, until one day complete severance takes place. Why should we waste a drop of blood or spend a shilling to shelter countries whose selfishness is so great that they never give a thought to any interests but their own? 'Buy our products and lend us your money to work your destruction with' is the political creed of Canada, and of more countries than Canada, and it is a brutally selfish creed. The success of the United States misleads the colonial democracy everywhere. The colonial democracy ignore the fact that but for English capital, protection would never have been a qualified success in the United States. The glamor of seeming success there blinds the Canadian democracy to the curse it lives under, a system which can only bring disaster. Unfathomable, indeed, are the depths of human stupidity. The Canadian tariff, as it existed before Sir Charles Tupper's last addition, was causing the ill-knit fabric of the Dominion to crack at its joints, and the additional strain may rend it asunder altogether."

Sir CHARLES TUPPER. The hon. gentleman is quoting an article from the *London Standard*, a paper that refused to publish the address passed by this House to Her Majesty. The only paper in London that did not publish that address; and I appeal to the hon. gentleman at this advanced period of the Session to hand it in to the reporter and consider it read, if he wishes it to appear as part of his speech, I think it is intolerable at this period of the Session for an hon. gentleman to read to this House a long article from a London newspaper.

Mr. PATERSON (Brant). This gentleman, I think, has not addressed the House before.

Sir CHARLES TUPPER. I have listened with interest to his address, and will listen to what he has to say, but to read a whole column from the *London Standard* paper that refused to publish the address to Her Majesty the Queen, passed by this House, is, I think, hardly the thing at this time of the Session.

Sir RICHARD CARTWRIGHT. Which particular address was it? Home Rule or the other?

Mr. BOWELL. The one passed by the House.

Mr. SEMPLE. If the hon. gentleman does not wish to hear it read, I can dispense with that; but I have only a few words more:

"It is a piece of folly for which there is not so much as a plausible excuse; our trade will not, however, be much influenced by the change. The result will probably be that we shall send a little less iron to Canada and buy a good deal less of her agricultural produce and timber."

There is no doubt something in that. Another hon. gentleman has touched on the same subject. He says that one effect of these duties will be that we shall have to pay more for our money if we do not buy anything from England. We practically say: The Dominion will take your money but we will buy nothing from you. For the deplorable state of feeling mentioned in this paper, hon. gentlemen opposite have themselves to blame.

Mr. JONES. I do not suppose that my hon. friend from South Oxford expected that his argument would have had

the effect of inducing the Government to change their policy with regard to the tariff. That question was discussed at an earlier stage of the Session, and I do not propose going over all the articles enumerated under the tariff, nor to refer again to all the arguments adduced on that occasion. Since that tariff was brought down to the House, we have found a general feeling of indignation from all classes of the community. We have heard representations from all sections of the Dominion; we have found business men and agricultural people, our mining people, our fishermen, all uniting in a condemnation of this enormous increase in the iron duties; and we have found, as the hon. gentleman who preceded me, says, that it has aroused a feeling in Great Britain which, I am sure, hon. gentlemen in this House will admit it would have been better for us to avoid. I do not pretend to say that the British people have any right to dictate to Canada with regard to our financial concerns, but I do say that when there is a set determination to exclude from the Dominion of Canada British products, as is evinced by this tariff, and when we find such a feeling of intense excitement among all the manufacturers in the old country, where delegations have waited on the Government, and where it was even made a subject of enquiry in the Imperial House of Commons, I think the Finance Minister cannot afford to disregard such an emphatic condemnation, on the other side of the water. Sir, the question of the iron duties is one which has more behind it than would appear on the surface. The hon. gentleman, in introducing this measure, said it was going to develop a great industry throughout this Dominion. I believe, Sir, that it will have no such effect, at least immediately. I believe it was framed solely with a view of getting a large revenue to meet the extravagant appropriations which the Government are asking from this House from time to time. After having exhausted every means of taxation, after having put a duty on every article that entered into the daily use of the consuming classes of this country, the hon. gentleman then had a resort to the iron duties as the only means by which he might realise a million and a half or two millions to meet the extravagant expenditure which he asked from this House. During the short recess I visited Halifax, and in the conversation with hardware merchants there, I asked them to give me from their business returns a fair statement of what the practical effect of these changes would be. I hold in my hand a statement prepared for me by one of the largest and most influential hardware concerns in the city of Halifax, Messrs. Stairs & Co., and I think the Minister of Finance will acknowledge it a good authority and worthy the consideration of this House. I asked these gentlemen to give me in detail the bearing of this tariff, so far as it regards all those articles which enter into the tariff. I assume there are very few gentlemen in this House who are so intimately acquainted with the iron industry and the hardware business, as to be able to state with exactness the effect this change is going to have upon the business of this country. Therefore, I thought it was in the interest of the public at large that I should apply to a source which would be recognised as an authority, even by the Minister of Finance himself. Taking the first article on the list which they gave me, I find the article of shovels, which are used very largely. The Minister of Finance told this House the other day that the duty on shovels would amount to 37 per cent., if I followed him rightly, and at the same time he proposed an increase of 5 per cent. on the original proposition submitted. My friends in their estimates gave me the duty as 79 per cent., and with the 5 per cent. additional it would be raised to 84 per cent. On hay forks they gave me the duty at 46 per cent., fish forks at 49 per cent., boiler plate iron at 65 per cent., angle iron at 70 per cent., cut nails at 50 per cent., varnish at 50 per cent., pig iron at 50 per cent., besides

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a bonus of \$1.50, making the advantage which the producer of pig iron would have equal to 75 or 80 per cent. protection. This is not all. Here we find a protection granted on those different branches of the iron industry ranging all the way from 46 to 84 per cent., and in addition there must be taken into account the expenses of importing, that is to say freight, insurance, commission, interest and other charges incidental to such enterprise, amounting all the way from 20 to 25 per cent. So if you take shovels on which there is a duty of 84 per cent., and add 20 per cent., you will find that the manufacturers of those shovels have a protection of 104 per cent. against all outside competitors. So with angle iron on which there is a duty of 70 per cent. The percentage may not be quite so high but adding the 20 per cent. the rate is brought up to 90 per cent., and on pig iron the rate is 100 per cent. Let hon. gentlemen opposite consider for a moment the effect this is going to have on the country. The hon. member for Centre Wellington (Mr. Semple), has shown the House, by a circular he read from a large hardware concern, that the prices of iron had advanced from \$13 to \$15. That is just the amount of the duty which has been imposed under this tariff. It was natural that it should advance. All the holders of large stocks of iron, would, of course, immediately take advantage and advance their price in proportion to the increase of the tariff, because they knew well that the moment their stocks were exhausted they could not replenish them from any other source under the old price, adding the additional duty which this Bill asks us to approve to-day. Every article into which iron enters has increased 50, 60 or 70 per cent. Look at the way iron enters into all industries. Every wheel that rolls over our streets, every animal that is shod uses iron or steel, and this tariff will add 50 per cent. to the cost. Hon. gentlemen will realise this fact when too late. They are willing to be deluded or captivated by the eloquence of the Finance Minister, in pointing out the great industry that is going to be developed here under this policy, and that if it is developed iron will not be so high as the present duties would place it at. But hon. gentlemen know well that if our iron industry is developed, and it will take a long time to develop it, those manufacturers of iron will do what other manufacturers have done and will do—they will either combine and make arrangements not to undersell each other, or they will place the price of their own article just a little below what would be the cost of importing the British article; and consequently our people will have to pay to the full extent the duty in every relation in which iron enters into our domestic uses. I hardly think the hon. gentleman could have estimated the extent to which this is going to be a burthen upon our people. The Minister of Finance told us that we use about 280 lbs. of iron for every man, woman or child in the Dominion, that is a very large amount and no doubt a correct one; and when a calculation is made on the basis of 280 pounds for each individual, and it is remembered that the price is going to be increased 50 per cent. under the operation of this tariff, he would be a bold man who would not hesitate and receive the advice even of the Opposition in regard to this matter, which is going to bear so heavily on the consumers of this article. There are other branches of trade in regard to which the tariff is equally objectionable, which we could point out if time permitted; but I am not going to deal with those to-day. I take those more prominent articles because they affect us in a large measure, they being articles of greater value. But all the smaller articles that enter into the hardware business are affected to the same extent. I do not expect any arguments from this side of the House, or even from England, remonstrances from friends or foes, will cause the Government to pause in their downward career.

Some hon. MEMBERS. Oh, oh.

Mr. JONES. I say in their downward career, because they are going to extract from the pockets of the people a large amount of money annually, and are going to appropriate it, as they have appropriated money, in an extravagant manner year after year in undertaking enterprises which the condition of the country does not warrant. I would, therefore, ask hon. gentlemen opposite to pause before they place such a burthen on the shoulders of the people, which it is more easy under the hon. gentleman's *régime* to impose than it will be for his successor to get rid of. I wish hon. gentlemen and the country to fairly consider the application of this tariff on the articles to which I have referred, and I think after the House adjourns and after the country at large realises to its full extent the enormity of the increase in the way I have indicated, the hon. Finance Minister will not receive that approbation of the country at large which he has already received from his own friends and supporters in this House.

Mr. McDOUGALD (Picton). This is a subject of sufficient importance to justify me in asking the attention of the House while I refer to the changes made in the tariff. The changes embodied in the Bill now before the House are the greatest made since the National Policy was adopted by Parliament in 1879. I do not deny that they are far reaching, and that their consequences will mark an era in the progress of this country. As hon. gentlemen are well aware, in 1878 the question at issue between the two great parties was that of protection to Canadian industries. That battle was fought out, and the Government led by the present Premier was sustained on that occasion. In 1882, the same question was raised and fought out fairly on every hustings throughout the Dominion. The verdict of the people given on that occasion was a distinct and emphatic endorsement of the course of the Government. In 1887, the Government policy was again an issue, to a certain extent; it was an issue, at all events, so far as the Administration of the day are concerned. The policy they laid down clearly and boldly on that occasion was one of protection, and the verdict given was emphatically in support of the National Policy of protection to Canadian industries. The position occupied by hon. gentlemen opposite during that contest was a somewhat varied one. On some occasions they opposed the National Policy, on others they trimmed on it; but those who were entitled to speak with some authority on behalf of the party desired the country to understand that the manufacturers had nothing to fear from a change of Government. Therefore, if the principle of protection be right, if it is a principle which has been adopted by the country, I think it is the duty of the Government to carry out the verdict of the people and apply that principle where the circumstances of the case will justify it. As an advocate here of the rights of Canadian labor, I recognise the important step which has been taken in the interests of the people, and I think the application of the policy of protection to Canadian labor will receive from the country the same endorsement which it will receive in this House. If there is one principle which underlies the whole operation of the National Policy more marked than another, it is the principle of developing the natural resources of the country, by the protection of the Canadian labor engaged in these operations. Exception has been taken to the changes in the tariff, notably in relation to the iron industry, and the prediction has been made that the changes will result in adding largely to the burdens of the consumer. That there may be some increase, until there is a further expansion of the iron trade, is, of course, undeniable, but in the end I think the results will show a different conclusion. The hon. member for South Oxford (Sir Richard Cartwright) estimates that some four or five millions annually will be added to the burdens of the people by the changes which have been made. I can arrive at no such

conclusion from my examination of the subject. In connection with the changes which have been made, and notably with regard to manufactures that are used by the farmer, speakers on the Opposition benches have raised a great outcry; and I observe that special objection has been made to the imposition of specific duties. The statement has also been made that specific duties operate as a barrier to the improvement of manufactures. If we look at the development of manufactures in other countries and study the legislation which has brought that about, we will not be justified in coming to such a conclusion. In almost all civilised countries of the world which have made any progress in manufacture, this system of protection prevails. With the exception of the case of Great Britain, we will look in vain to any great country advanced in manufactures, to-day, that has not a protective policy in force. I think Turkey is the only other European country of any consequence in which that policy is not in force. If we look at the marvellous progress which has been made in the improvement and development of manufacturing industries under protective duties, and especially under duties which are specific in their character, we cannot come to the conclusion that the imposition of specific duties will operate against the improvement of the manufacturing industry. Reference has been made to the objections taken in Great Britain to the recent tariff changes. I think those references rather show a justification for the changes which have been made. They point out conclusively that those changes are in the interest of Canada, and I think it is the first duty of a Canadian Parliament to look after the interests of the people of Canada. The objections are not altogether against the rights of Canada to make those changes, but, on account of the depressed condition of the iron industries of Great Britain, it is considered somewhat inopportune to apply those duties at the present time. But, if we look at the course of iron and steel importations into this country for a series of years, I think we will be justified in coming to the conclusion that it is time for Canada to take a decided stand in connection with this matter. When we consider that every year over thirteen millions of dollars on the average has been sent out of Canada since Confederation, to pay for articles which ought to be manufactured and produced in this country, I think we are now justified in taking up the question and dealing with it in a manner which will redound to the interests of the country. In connection with the quotations of figures which have been made, I desire to call attention to the question of agricultural implements. It is said that the price of these implements will be largely increased to the farmer. Now, the duty on agricultural implements, with few exceptions, has not been changed. Of course the duty on the raw material which goes into the manufacture has been increased. Reference has been made to the articles of shovels, hay-forks, pitch forks and other articles of that kind, as if the increased duty would have to be paid by the consumers in this country. I think our experience in the past will not justify us in coming to such a conclusion. In such articles as shovels, when they are made in this country, and there is sufficient competition, the price will be regulated by the cost of production, and I think experience will show that in agricultural implements there will be no material increase of price upon such as are made in this country. The increased duty on the raw material entering into a shovel is not one and a-half cents for an ordinary shovel, and the increased duty on the iron and steel entering into a mower or reaper is not over fifty cents. On a common garden hoe the increased duty for raw material is less than one cent., and the increase in duty on pig-iron which enters into the ordinary castings is only one-tenth of a cent per pound, so that this increase will not be seriously felt. In relation to the question of stoves, an increase in duty of one-tenth of a cent. per pound will not have the effect of increasing the price of these articles,

and I may say that I speak from authentic information received when I state that the changes have not increased the selling price of stoves. On iron ploughs, which usually cost from eight to ten dollars each, the increased cost on the raw material entering into the manufacture, if the whole duty is paid, will not amount to more than fifty cents. I think the quotations of duties given by the senior member for Halifax (Mr. Jones) are somewhat exaggerated. If he will examine the tariff he will find, for instance, that while he puts the article of boiler plate at 65 per cent., in the form in which it is commonly used in Canada it is subject to a duty of only 12½ per cent., and for angle iron the duty will not approach 70 per cent. On large angles there is only a revenue duty, but on small angles made in the country the duty is \$10 per ton and 10 per cent. In relation to the duties on pig iron, which he places at 50 per cent., I may say that if you take the importations for a series of years, which is the safest guide as to the amount of duty which will have to be paid, you will find that the average is less than 30 per cent. for the last seven years. The hon. gentleman speaks of the increase on iron amounting to \$10 or \$15 per ton, but I may say that the whole duties on bar iron do not in any case exceed \$13 per ton, so that the increase cannot be from \$10 to \$15 per ton, as the hon. gentleman said. As to the articles manufactured out of iron and steel being increased 50 per cent. on the present value, I think experience will not bear out that statement, considering that the increase of duties on the raw material is small in comparison with the labor which will be involved in manufacturing the article. In relation to the higher classes of manufactures which are used by the consumers in this country—the articles on which the duties have chiefly been placed are not used directly by the consuming classes—they are used largely by the manufacturers, and what the consumer may have to pay will be the cost of the article in its finished shape. The duty on the higher forms of imported articles, as a rule, has not been increased more than 5 per cent. on the average over the former tariff, so that it is clearly impossible that the consumer will have to pay 50 per cent. more for the finished article. The hon. member for Halifax (Mr. Jones) also says that this change is made for the purpose of taxation, in order to obtain \$1,500,000 or \$2,000,000 more revenue. This does not altogether harmonise with the statement the hon. gentleman made on this question at an earlier stage of the Session. At that time he told us that this change in the iron duties was made in the interest of one corporation, that of the Londonderry Iron Company, and that the application for the change was only made on its behalf. These statements, however, will hardly be sustained by the evidence of the facts. The advantages of increased protection to iron manufacture, I am aware, were pressed by delegations representing over \$20,000,000 of invested capital, and coming from every Province of the Dominion east of the Red River, except Prince Edward Island. And as to the extent of revenue that will be realised from the changes, the hon. gentleman is very widely astray in estimating it at from \$1,500,000 to \$2,000,000. It will be noticed that in the application of the duties there are a great many exceptions—that a good many articles are still admitted at the revenue tariff rate of 12½ per cent., while the duties upon iron used in the shipping industry will be refunded under the drawback system. Taking the imports of iron and steel manufactures for last year, and applying the present duties to them on the supposition that the same quantity will be imported this year, the increased duties on that quantity would not amount to more than \$7,000,000 altogether; and that will be largely offset in the first year by a smaller importation. The effect of this increase is also diminished by the fact of some additions having been made to the free list, and by the removal of \$500,000 of duty on anthracite coal.

Mr. McDougald (Pictou).

Objection can hardly be taken by free traders to this readjustment on the grounds of taxation, as it will result in the burdens of the people being more equally distributed than they were when the duty existed on anthracite coal. Now, reference has been made to the effect of these changes in the tariff upon the condition of the farming class. It has been said that the farmers are exposed to a fiercer competition than they were formerly. That is no doubt true, and that is another reason why the farmers should seek for an extended market in Canada, over which they will have control, rather than destroy that market by the importation of foreign goods. It has been said that the American agricultural laborer has been reduced to competition with coolie labor by the importation of wheat grown in India and other eastern countries. That change has not been brought about by protection, but has been brought about notwithstanding protection; under a revenue tariff the American agriculturist would lose his home market in addition to being exposed to the competition of coolie labor in the European market. The importance of the iron industry to Canada may be estimated from the fact that, on the average, since 1868 over \$13,000,000 in value of the manufactures of iron and steel have annually been imported into this country; and these importations have been coming to a greater extent, in many cases, from protected countries during the last few years than they have been coming from Great Britain. It is instructive to examine the classes of articles that have been imported into this country, and to note how the course of trade has been changed from Great Britain to countries that have protective tariffs. If we take the bulk of the articles into which skilled labor enters, we find that they largely come from the United States, and that the American manufacturers of such articles are rapidly displacing those of Great Britain in the Canadian market. As to the rate of duty necessary to protect the iron industry, and the methods being adopted for that purpose, we are only following the footsteps of other countries which have made any great progress in the manufacture of iron or steel. Let us examine some of the countries of Europe that have established these industries, and see what their condition was at the time they were started. Take Belgium, a country which depends altogether on imported ores, and which has not all the natural resources for the manufacture of iron and steel that Canada possesses. That country, up to 1866, had a specific duty of \$4.76 per ton on pig iron, which was subsequently reduced to \$1.01 per ton. On bar iron the duty up to 1866 was \$9.53, which was subsequently reduced to \$1.95. In each of these cases the duty was specific, and not *ad valorem*. The advantage of a specific duty is that it prevents under-valuation, and the use of false invoices; and although in operation it may be somewhat higher on the cheaper classes of goods, which are chiefly used, still these are the classes which can be most successfully made at first, and the manufacture of them educates the artisan in his business, eventually enabling him to compete in the manufacture of the finer goods. In Belgium the reduction of duty produced little effect on the quantity of pig iron received into that kingdom; but, notwithstanding the decrease in duty, the home production rose from 470,767 tons in 1865 to 655,565 tons in 1872; and, after that industry became thoroughly established in Belgium, and the protection was reduced to a very low rate indeed—to a merely revenue tariff—we find that that country, in 1880, made 610,000 tons of pig iron, 450,000 tons malleable iron, and 95,000 tons of steel, and exported 319,548 tons of iron and steel manufactures. In Germany a similar system of protection was adopted, and the duty was ultimately reduced. Starting in 1860 with a duty of \$4.96 per ton on pig iron, it has been reduced to \$1 per ton. Yet the production rose from 395,000 tons in 1860 to nearly 2,000,000 tons in 1879. Belgium, notwithstanding the reduction of the duty, holds its own in the manufacture of iron, and is a close competitor with Great Britain

in the markets of the world to-day. In this connection Sir Lowthian Bell, after examining the question on behalf of all the manufacturers of Great Britain, says:

"All experience justifies the conclusion that, whenever profits in any particular branch of industry attain a position superior to that in other manufactures, capital is attracted thither; and, apparently, it matters little by what means this position is arrived at."

Another country to which I will allude in connection with this subject is France, a country which, in 1882, imported 10,243,000 tons of coal for carrying on its manufacturing enterprises. The duty on pig iron imported into France was, in 1860, \$9.53 per ton; in 1864, \$7.78 per ton; and in 1865, \$2.92, which is the duty at present in operation. On bar iron the duty in France at present is \$9.93 a ton; iron rails the same duty; iron plates, \$13.88 a ton; steel rails, \$11.75 per ton; steel plates, \$17.83 per ton. The production of pig iron rose from 992,000 tons, in 1866, to 1,733,000 in 1880. Although, in France, the coal has to be imported, 90 per cent. of all the iron used in that country is of French make; and not only is the coal imported, but 38 per cent. of the ore as well. As regards Great Britain, which is the only great country in the world that has adopted free trade, we find that, in the earliest stages of the iron industry, it was protected as highly as we propose to protect it here. In 1750 it was enacted that no tilt hammer or mill for working iron or furnace for steel be permitted to be erected in America. In 1785 the exportation of tools and engines for iron works was prohibited under the penalty of a fine of £200 and forfeiture. In 1785 a £500 fine was imposed for enticing iron artificers to emigrate. In Great Britain the following were the duties imposed:—

"The duty on bar iron from 1795 to 1835 ranged from \$13.65 to \$31.63 per ton. In 1836, on cast iron, the duty was 20 p. c.; wrought iron enumerated 80 p. c.; steel and its manufactures, 50 p. c.; wire, per ton, \$577; hoops, per ton, \$115."

Great Britain never adopted the policy of free trade in iron until she reached that position when she manufactured half the pig iron in the world. In the earlier stages of its manufacture, iron was highly protected in England. As regards the development of the iron and steel industry in the United States, the position is a most remarkable one. That country imposed a duty of \$28 a ton on rails; now it is \$17 a ton. On pig iron the duty was \$9 per ton; now it is \$6. On bar iron, the duty is now \$16 to \$24 per ton, and on puddled iron it is \$16 per ton. And this is a protective country which is driving the British manufacturer, in the highest articles of manufacture, out of the Canadian market. The position of the United States for cheap manufacture of iron cannot be compared with the position of Canada in that respect. From the ore fields of Michigan to the Pennsylvania coal is 1,000 miles; the coke from Connellsville to Chicago, has to be brought 600 miles, and from Connellsville to St. Louis, 750; and there is high authority for the statement that the average carriage of the United States ores is 400 miles, and of the fuel 200 miles. It is true, the position in the new field in the south is somewhat of an improvement on that in the Pennsylvania and other districts; but, on examination, it will be found that even the new field in the south cannot compare in position with Canada. The most favorably situated place is Birmingham in Alabama, which is 276 miles from tide water at Mobile. From Chatanooga, Tennessee, the distance to tide water at Brunswick, Georgia, is 419 miles; from Chatanooga to Hickman on the Mississippi is 321 miles, and to Pittsburg, by the Ohio and Tennessee rivers, is 1,000 miles. With regard to the enormous development of iron and steel manufactures in the United States, which have grown up in a few years, I will refer briefly to an article copied from the recent statistics of iron and steel production in the United States, taken from the *London Economist* of 14th May, 1887:

"The production of steel has made rapid progress of late years in the United States and the total output is now larger than that of Great

Britain. The production of Bessemer steel ingots in the United States was 2,269,100 tons in 1886 against 1,570,520 tons in Great Britain, and the production of steel rails was 1,574,703 tons against English production of 730,343 tons. In addition to this there was the production by the open hearth system, and other methods, the grand total being:

United States	2,562,502 tons
Great Britain	2,384,670 "

This shows that the United States, in iron and steel manufacture, is even rivalling Great Britain. The question has been raised as to the extent of the Canadian market for the manufacture of iron, and it has been said that our market is too limited. Let me point out that we have, to-day, in Canada a consumption, without rails, which is equal to the production of iron in Great Britain in 1800, and equal to the production of the United States 50 years ago. I think a more opportune moment could not be taken than the present for founding this great industry on a substantial basis. Now, as to our resources and condition for the successful manufacture of iron, two of the most eminent manufacturers of Great Britain reported on the resources of Canada, based on the exhibits at the late Colonial Exhibition, as follows: I take this from Gilchrist and Riley's report on the iron making resources of the British Colonies, at page 51:

"Canada is extremely rich in both coal and iron, the ores that are, perhaps, of chief importance, from being found near to coal, being those of Nova Scotia, British Columbia and west of Lake Winnipeg."

After referring at considerable length to the iron deposits of Canada, Gilchrist and Riley make this observation:

"From the above a general idea of the distribution of iron ores in Canada may be obtained; and after hearing of such rich and varied deposits, it may surprise many to learn, on the authority of Dr. Selwyn, that in the whole of the Dominion, there is only one blast furnace, making coke pig iron, at present at work (although there are several in the Province of Quebec producing charcoal pig) and one rolling mill in connection with puddling furnaces, while the total value of iron and steel imported in various forms for the seventeen years since Confederation reaches the sum of \$230,741,434, equal to an annual average of 13½ million dollars."

In connection with this subject, the *Iron Age*, a high authority on this subject, makes this note in a recent issue:

"The Canadians argue, and no one acquainted with the facts will dispute the assertion, that they have extensive deposits of both coal and iron ore favorably located, notably in Nova Scotia, for the manufacture of crude and finished iron."

The question may be asked why this industry has not flourished in the Dominion in the past, in connection with the policy of protection. The answer is that that policy has not been properly applied to the manufacture of iron. The woollen industry has been protected, from its first stage to the finished products. If we take the case of pig iron, on which there was a duty of \$2 a ton, and which required 10½ days' labor in its manufacture, we find that on the product of a ton of pig iron, which required 19½ days' labor, the duty was only 10 per cent., or from \$1.60 to \$2 per ton, while on the finished article which requires 27½ days' labor the duty was 17½ per cent. It is evident that this protection was not sufficient. When once the industry is established the competition regulates the price, according to the facilities of the country for the manufacture. The importance of this industry to Canada may be judged from the operations of one concern in Nova Scotia for the last seven years. From 1880 to 1887 the Londonderry Iron Company disbursed for labor, fuel, freight, &c., in Canada, \$4,873,159. That was all for labor, &c., in the country, and the production was not more than would supply one-fifth or one-sixth of the iron required in Canada, even in the cruder forms, without reckoning the finished articles made from this iron. This one industry produced 144,131 tons of pig iron, 28,968 tons of bar iron and forgings, 14,843 tons of nail plate, and 11,466 tons of wheels and castings, while they used for raw material 895,895 tons of ore, 620,652 tons of coal and 121,628 tons of limestone. The importance of this iron industry to Canada may be gathered by the examination of its relation to the coal required in the smelting and in the manufacture of iron. In relation to the admission of anthracite coal free of duty, the

members for the mining counties in the Lower Provinces have been somewhat severely criticised, but, in view of the advantage which will result to the Dominion at large, we are willing to submit to that criticism, because a largely increased consumption of coal will be required in the manufacture of iron, and whatever bituminous coal is required in that will more than compensate for the admission of anthracite coal free. It requires for 250,000 tons of pig iron, in order to smelt it, 750,000 tons of coal; for the conversion of 170,000 tons of pig iron into puddle bars it requires 340,000 tons of coal, and for the conversion of 170,000 tons into bar iron, 160,000 tons of coal are required, making a total of 1,250,000 tons of coal required to produce 250,000 tons of iron. I think that is a sufficient answer to the objections which have been made on these grounds. An objection has been made that this is a tax in the interest of Nova Scotia. I think that is an unfair view to take of a question like this. It is a question whether a great national industry is to be protected or is to be allowed to remain in abeyance. The Parliament of Canada has in the past protected other industries which exist in one section only. The petroleum industry of western Ontario has been protected from the earliest days until now. A very high protection has been granted to petroleum, and under that protection there is now a production of nearly eight million gallons a year. That protection has been of great advantage in maintaining the industry, and I think that the protection which is given the iron industry will result in developing that great interest, and under conditions which will give to the consumer articles which are manufactured out of iron on very fair terms, and probably as cheaply as they can be obtained to-day. If Canada has one thing to be proud of, if Canada has one thing which will raise it in the scale of nations in the future, it is the fact that on the two ocean shores, on the shore of British Columbia and on that of Nova Scotia, it possesses both coal and iron, and that gives it a position which is occupied by no other country on this continent.

Mr. ELLIS. The hon. gentleman seems to me to have repeated the speech of the Finance Minister over again. The fact that these highly protected countries are not able to export iron shows that protection is practically a failure. The fact that \$187,000 worth of iron were imported by the United States last year more than they exported, seems to me to answer all the facts the hon. gentleman has stated. I rose, however, to present to the House a statement made by James Pender & Co., manufacturers of horse shoe nails, of St. John, New Brunswick, which is as follows:—

"The system of drawbacks will not do justice to this industry, and if the duty shall be continued the business will be greatly hampered and overweighed in its contest with foreign manufacturers, and the export trade in this class of goods greatly jeopardized, and this, so far as the manufactory in St. John is concerned, will be greatly regretted, as it has taken some five or six years to work up the export trade, and which has doubled during the last two years, and the proprietors think the business could be doubled again during the next two years if the duty were removed from the iron used in their manufacture. The iron is imported from Sweden, and cannot be produced in Canada, and therefore any tax upon it is a tax upon raw material not produceable in the country. The European competitors in this business get their iron free of duty, have cheaper labor, and save freight and insurance across the Atlantic.

"The following comparative statements will show the cost of sufficient iron to produce a ton of nails in Sweden and Canada, similar iron being used in both cases:

"The present cost of a gross ton of iron in Sweden, £8 13s. 0d. or.....	\$ 42 08
"Add one-third to cover cost of waste.....	14 03
"Making total cost of enough iron to make ton of nails to Swedish manufacturer.....	\$ 56 11
"Same, first cost in Sweden for Canadian manufacturer.....	\$ 42 08
"Freight and insurance to Canada.....	5 37
"To this add one-third for waste.....	15 82
"Making total cost of a ton of iron to Canadian manufacturer.....	\$ 63 27

Mr. McDougald (Picton).

"By the above it will be seen that the iron costs the Canadian manufacturer \$7.16 per ton more than it does the Swedish manufacturer, even if the iron were admitted into Canada free of duty.

"I am aware that the Government allows a drawback upon the nails exported, and the following table shows the effect of the drawback upon the business. As the law now stands the condition of the Canadian manufacturer is as follows:—

"Cost in Sweden of a gross ton of iron	\$42 08
"Freight and insurance.....	5 37
	<hr/>
	\$47 45
"Duty on 2,240 lbs. at \$13 per 2,000 lbs.....	14 56
	<hr/>
	\$62 01
"Add one-third to cover waste.....	20 67
	<hr/>
	\$82 68

"The duty as now propounded will be a little less than the above.

"From this \$82.68 deduct the drawback which is payable on weight of nails exported, at the rate of 90 per cent. of duty, which amounts to \$9.83, the weight of nails being 1,680 lbs. as the product of a ton of iron, the waste being 25 per cent. in making up.

"Thus the total cost of the iron under the tariff, as lately altered to the Canadian manufacturer, sufficient to make a ton of nails, is \$72.85, against the cost of a similar amount of material to a Swedish manufacturer of \$56.11, which places the Canadian manufacturer at a disadvantage, as against his Swedish competitor of \$16 74, or \$9 58 per ton in favor of free rods, under the proposed change this would be reduced to about \$8.60. A business handicapped in this way cannot succeed, and it should be just as much a part of the National Policy to protect the manufacturers of the Dominion who are competing with those of a foreign country in foreign markets, as it is to encourage our own manufacturers who are seeking here to have control of our domestic markets."

In reference to the constituency from which I come, this tariff is one of the worst which has been placed upon our people. I have not received a single letter in favor of this tariff, but I have had letters upon letters against it. I hope the anticipations of the Minister will be realised, but I fear not. If they are not realised in regard to the city of St. John, I am afraid this will add to the depression there. We are now suffering severely from the depression. Our ships, our fishing industry, our lumber, all the natural industries of the country are depressed, and what has the National Policy to give us? Gentlemen from Ontario want a tax on corn and corn meal, and on all the products of Ontario as against us. Gentlemen from Nova Scotia want the same thing on coal and iron in the interests of that Province.

Mr. JONES. No, we do not.

Mr. ELLIS. In all that I am unable to see any good in the future for the constituency which I represent.

Mr. McMILLAN (Huron). The hon. member for North Grey (Mr. Masson) told us that he could see nothing on a farmer's place that paid duty. I have been a farmer for many years, and my experience is that there is a duty of 35 per cent. on most of the goods we use, on the cottons for instance, and I also know that upon woollen goods there is a duty of from 28 to 44 per cent. I have a statement here from a friend of mine, a dry goods merchant, and he states that the average duty is 27 per cent. which means 33 per cent. to the consumer. I can only suppose that in North Grey, as they do not pay any duty, they must wear homespun. He also told us that the manufacturers had created a market for our own surplus produce. Now, I hold a statement of the exports and imports of the Dominion in my hand, from 1878 to 1885. I find that in 1878 we had a surplus of 2,873,832 bushels of wheat which was sent out of the country, and in 1885 we had 2,295,662 bushels. I can explain why more grain has not been sent out of the Province of Ontario. The reason is that it has not been paying us to raise oats for the last few years, and a great many of the best farmers in the Province have gone into grazing instead of raising grain. Yet we are sending out nearly the same quantity that we did in 1878. Now, with respect to the price of wheat. I find from the *Mail* newspaper that, from 1874 to 1878 inclusive, the average price of spring wheat was \$1.10 per bushel, and in 1886 the price was only 75 cents. per bushel. We find with respect to oats that the average price was 42

cents a bushel during the period from 1874 to 1878, and during the last period it was only bringing 32 cents a bushel. For peas we were receiving in the first period 71 cents per bushel, and we are now only receiving 50 cents per bushel, and yet we are told that the condition of the farmers is better under the National Policy at the present time than it was before that policy was adopted. We are also told by the same gentleman that we are exporting a surplus of oats. Now, I find that, in 1878, we had a surplus of 268,549 bushels of oats, and we consumed all the rest that we raised; when we come down to 1885 I find that we exported 2,025,683 bushels, showing that the consumption is not keeping up with the production, and showing that the National Policy has not given us a market for our surplus produce.

Mr. McNEILL. Would my hon. friend tell us how much oats we got from the United States in 1878 and 1885 respectively?

Mr. McMILLAN (Huron). In 1878 we got profits of over \$2,000,000 on grain exported during that year, and during last year we only received \$78,000 on grain exported from this country. I find that, in 1877, wheat was 10 cents higher in Toronto than it was in Chicago; I find in 1878 it was $8\frac{1}{2}$ cents higher in Toronto than in Chicago, and in April, 1887, it had gone up in Chicago until it was $1\frac{1}{2}$ cents per bushel higher than it was in Toronto. If it is not the National Policy that has brought about this change, I would like some hon. gentleman to tell me what it was. We were told that the National Policy was going to give us Canada for the Canadians. It was going to increase the price of grain. I hold that it is fairer to compare the prices of grain between the United States and Canada, than it is to compare them between England and Canada, because the United States also sends her surplus produce to the English markets. Now, when we find that, in the markets of Canada, wheat has fallen 10 cents a bushel since the National Policy was introduced, while the prices have increased in the United States, we must come to the conclusion that the National Policy has been an injury to the farmers.

Mr. McNEILL. Would my hon. friend answer the question I asked him?

Mr. McMILLAN (Huron). The Trade and Navigation Returns are open to the hon. gentleman, and if he wants the information he can find it there. Now, the hon. the Finance Minister tells us that we can get our goods as cheaply today as we did before the National Policy was introduced. I would like to ask the hon. gentleman how that can be? Is it not a fact that woollen goods coming into Canada pay from 24 to 42 per cent. and even 45 per cent. duty? Upon cotton goods we pay a duty of 27 per cent. Now, when a merchant goes into a warehouse in Glasgow to purchase goods, he is not asked whether he is going to take those goods to a free trade country or to a country with a protective tariff, but he pays just as much for goods coming into Canada as a Scotch or English retail merchant would pay for them for a local market. But when a Canadian merchant comes to this side with his Scotch goods he has got to pay 27 per cent. duty, which means 33 per cent. to the consumer. Now, the hon. member for Pictou (Mr. McDougald) told us that the price was not going to be much increased on iron goods under the present tariff. I say that no greater injustice has ever been perpetrated upon the agriculturists of this country than the proposed duty upon iron. Every article that we use upon our farms, all our implements, all our machinery into which iron enters, have to pay an increased price of at least 10, if not 15 per cent. I think I will be able to prove to this House, before I take my seat, that that is the view taken by some of the most important manufacturers of agricultural implements in the Province of Ontario. I will read a letter from a manufacturer who says:

"DEAR SIR,—Yours of the 2nd instant is received, and in reply would say that we are feeling the effect of the new tariff in the great advancement of raw material to such an extent that we cannot purchase the material now and sell the machines without an advance of 10 per cent. and save ourselves. We are just writing a large steel rolling mill in Nova Scotia, who have advanced the price of their goods to such an extent that we will have to decline receiving them, and cease building machines, unless we can get a higher price for them"

I would ask the hon. gentlemen opposite whether they are in a better position than the manufacturers themselves, to speak as to the effect of these iron duties. I am afraid that the "silver lining," of which the Minister of Finance spoke when introducing these tariff changes, will entirely disappear when his duties begin to take effect in the country, and that his very sanguine anticipations will never be realised. He told us that we would manufacture our own iron and steel, and by that means a population of 300,000 would be added to the Dominion of Canada. But I find, in making a calculation in reference to some other lines of goods manufactured in this country, that, provided we manufactured every article we import of dutiable goods, it would only add a population of 122,000. I will state, for the information of the House, the amount of iron that entered the United States after their protective policy had been in operation for over twenty years. In 1885 there were \$33,903,227 worth of iron and steel entered. In 1886 there were \$36,031,777 worth imported into the United States. When we find that such has been the experience of the United States, how can we expect the anticipation of the Finance Minister to be realised in Canada, seeing that here we have a country with two thousand miles of frontier and a depth of only sixty or seventy miles, whereas the United States is a compact country with all the advantages of settlement from the Rocky Mountains to the seaboard. I think it possible that iron goods, such as agricultural implements, can be manufactured as cheaply here as across the line. We have been told that there is no class in the community so much benefited by the National Policy as the agricultural class. I state this, from my own experience, that no class of the community has suffered so much in consequence of the National Policy. I should like to know the first article in respect of which the National Policy has given us a home market. We have been told that it brought a home market to our doors. But we have exported a great deal more of such articles as cattle, cheese, sheep, eggs and butter since the National Policy than we did before it became law; and at the same time we have been called upon to pay more for everything we purchase, and have received lower prices for the articles we have had to sell. I warn hon. gentlemen opposite that one of the causes of the present depression is the large amount of money taken out of the hands of the agriculturists. We were told before the National Policy was introduced that it would not involve an increase of duty, but only a rearrangement of the tariff, and the First Minister told the country that his Government had been able to manage public affairs with a smaller amount of taxation in the past than the then Government required, and that, consequently, they would be prepared to manage the country with lower taxation in the future. Have those promises been fulfilled to the people of Canada? I say no. Up to last year over \$44,000,000 had been taken out of the pockets of the people by the increased taxation raised under the present tariff. No doubt a very large amount has gone into the pockets of the manufacturers, while no class of the community has contributed to the burthen of taxation so largely as the farmers. There is a small cloud rising in the west. It may not be larger than a man's hand at the present time, but before four years have passed it will have spread over the whole land, and farmers will be coming here and demanding that their rights be recognised. I acknowledge that the class in whose interests the Government have been legislating is a very useful class, but I remember the statement of the

Finance Minister that in order to have a National Policy you must have a policy to promote the interests of all classes and industries. But I tell the hon. gentleman now that his policy has failed to advance the most important industry in Canada, and that is the agricultural industry. In 1878, \$4,000,000 of manufactured goods were exported by the Dominion, while in 1886 only a little over \$2,000,000 worth were exported; at the same time the exports of agricultural products and animals reached for that year \$39,000,000. It is, therefore, evident that agriculture, being the most important industry in Canada, is the industry to which the Government ought to turn their attention in the first place, because, I hold that if agriculturists are not in a prosperous condition, no other class can be prosperous, and I believe, to-day, three-fourths of our farmers are not making receipts and expenditures meet, on account of the very large reduction that has taken place in the price of our agricultural products and of animals. Fat cattle, to-day, do not realise more than $4\frac{1}{2}$ cents per lb., whereas some years ago 6 cents and $6\frac{1}{2}$ cents were obtained for animals of the same description. Yet we are told that the farmers to-day are better off than they were before the National Policy was imposed. We are told this almost every day, and I was very much surprised to hear hon. gentlemen opposite advocating a duty on elm logs. The land that grows the elm logs is mostly in the hands of the farmer, and to impose a duty on that class of product is the same as to impose a duty on the products of the farm. If the Government place a duty on logs they might as well impose an export duty on wheat, and say that all the wheat shall be ground into flour in Canada. There is, in fact, more reason for this than for an export duty on elm logs, because it is a well known fact that wheat is in a better condition to grind before it leaves Canada than it is after it is exposed to a sea voyage. With respect to agricultural machinery, we paid 35 per cent. under the old tariff and 10 per cent. has been added, making 45 per cent. I repeat, that there is no class having greater cause to complain than the farmers, and next Session we hope to find large deputations of farmers here demanding just legislation in the interest of the most important industry in the Dominion.

Mr. PATTERSON (Essex). I will not occupy the time of the House more than five minutes in order to make a personal explanation. I am told by an hon. member that the statement is made that I have done as I have done, with respect to the export duty on elm logs, because I am interested with Michigan middlemen. The man who made that statement is a coward and a calumniator. I am not acquainted with any of the Michigan middlemen, I have not had any correspondence with them, I have acted in this matter solely in the interest of the farmers of Ontario. Had I acted as the paid solicitor of any company or individual I would have had a precedent in gentlemen who have been or are members of this House, and who make much greater pretensions than I do. I know too much what is due to my own self respect and to the honor of this House, ever to have acted as the paid advocate in any matter which came before this House. In the course I pursued in this matter I have been actuated by a desire to serve the farmers of my riding who have stood by me faithfully for fifteen years, and for whom I have been able to do so little in return. The hon. member for Cornwall (Mr. Bergin), and I regret he is not in his place, referring to this the other evening, thought it was inconsistent on my part when I took such a stand on this subject to be also an advocate of the National Policy. When I supported that policy I did not suppose it would ever be developed into what I call a policy of monopoly. I look upon this question of the duty on elm logs, in the small district of country which only is affected by it, as a matter of monopoly; but if hon. gentlemen will come up to my part of the country and bring their statistics with them and

Mr. McMILLAN (Huron).

explain the matter to the farmers in such a way as to satisfy them that it is in their interest that an export duty should be imposed, I shall support that policy. But so long as those who are most interested think that it is not in their interest that this duty should be imposed, so long as they think that competition increases the price to them, so long shall I continue to advocate their interests here. That is the sole motive I have in the matter.

Mr. MACDONALD (Huron). I wish to engage the attention of the House for a short time upon the question which is under discussion this afternoon. Representing as I do an agricultural section of the country and a very intelligent class of farmers, who have for years been feeling the burdens imposed upon them by the National Policy, and who have never seen the benefits which hon. gentlemen say are to be derived from that policy, I think I would not be doing my duty if I did not express to the House and country their opinions on this matter, believing as I do, and as they do, that a National Policy of this character can be of no benefit to a class which exports a large surplus of their products every year. In 1878 the farmers of this country were told that the markets for the agricultural population were glutted largely by the introduction of materials of a corresponding character from the United States market. That was not the fact, but the farmers, having been laboring with other classes under a period of depression for four or five years, were willing to listen to almost any Tory who they thought would offer a means of removing that depression, and I believe a large number of the Liberals of this country were led by the promises then made by hon. gentlemen opposite and their satellites to support the Tory party on that occasion. The farmers are one of the most important classes—nay, the most important class of the community; they represent 60 per cent. of the entire population; we have no less than 600,000 farmers in the Dominion of Canada; they are the largest employers of labor, and that being the case, I think we have a right to consider their interests before and above the interests of any other class which comes under the consideration of this House. We know that they have invested in their avocation ten times as much money as all the manufacturers of this country. The interest on the investment of the farmers for one year would buy out nearly all the manufacturing interests in this country, and that being the case, their interests demand the attention and consideration of every consistent representative of a farming district in the country. As I said before, the farmers were told, in 1873, that their own markets were glutted by a foreign product, and though the Liberals of the country told the farmers that that was not the case, events had not developed enough to show, by facts and figures, that the results which we predicted would follow. If we compare the so-called glutting of the market, in 1873, with what is taking place to-day, it will be seen by every impartial man, no matter on what side he may sit, that the statements made to the farmers in 1873, and which led them to support the National Policy, were not based on facts. I have consulted the Trade and Navigation Returns, and I find that, in 1873, 1,587 horses were brought into Canada from the American side to compete with Canadian horses, and as the Tories said at that time, to glut the market. Now, it was perfectly plain that that number of horses would not glut the Canadian market, but, admitting that it did, how much more was the market glutted in 1886, when 2,251 horses were imported from the American side?

Mr. HESSON. How much duty was collected on that?

Mr. MACDONALD (Huron). It did not matter to the farmers whether there was duty to be collected or not, so long as they had to compete with an over-supplied market. I am astonished and amazed that a man professing to have

so much sense as the hon. member for North Perth (Mr. Hesson) should ask such a foolish question at the present juncture. It did not matter to the farmer whether there were \$900,000, or even that many millions of duty collected; so long as these articles were in competition in the open market with his own products he had to abide by the result of the competition without regard to the duty. In 1878, we imported 10,506 sheep, and no doubt the hon. member for North Perth (Mr. Hesson) told his followers that this country was being made an American sheep market, and that as a result the farmers did not receive the same price as if there was a duty to meet those sheep at the border and prevent them from coming in. But I point out to him that, in 1886, we imported 30,427 sheep, or three times as many were brought in in competition with the Canadian farmer in 1886 as there were in 1878. I would ask the hon. gentlemen opposite where is the protection which they promised to give the Canadian farmer in the item of sheep. Then, in 1878, we imported of swine 14,704, and those swine, according to the statements of the Tories of that time, glutted the market; but, in 1886, under the protective duty imposed by these gentlemen we imported 16,488. Then of butter we imported, in 1878, 111,557 lbs., which would not be one-fiftieth of an ounce for every individual in the country, though it was said that the market was glutted; but, in 1886, under the aegis of the National Policy, 325,201 lbs. of butter were imported, or nearly three times as much as in 1878. And yet we are told that the Canadian market has been pre-ferred to the Canadian farmer, so that he may sell his butter and realise higher prices. Then we were told that bacon was largely imported from the other side, and that the Canadian farmers were not in a position to realise as high prices as they should if this article was shut out of the Canadian market. The quantity of bacon imported, in 1878, was 2,845,169 lbs., while under a high protective duty, which was to prevent the importation of bacon, we import 3,564,495 pounds. We were told that the manufacturers in this country would engage such a large number of hands that there would be a large demand for pork, and that the farmers would, therefore, realise higher prices. We imported, in 1878, 10,248,000 lbs., and in 1886, 14,308,040 lbs.—over 4,000,000 more pork brought into competition with the product of the Canadian farmers in their own market in 1886 than there were in 1878. Again, take the article of lard. We were informed that over 2,250,000 lbs. of that article were imported into this country in 1878; but we imported over 3,000,000 lbs. in 1886. With regard to cheese, we were assured that American cheese was coming into the Canadian market in large quantities, and shutting out Canadian cheese or reducing the price. But the quantity imported in 1878 was a mere bagatelle—only 88,000 lbs., whereas we imported 1,000 lbs. more in 1886. These figures show that the protective duties placed on these leading products of the farmers of this country, did not give them that protection which was promised to them. And yet we hear hon. gentlemen continually lauding this National Policy—national humbug, will I say, so far as the farmers are concerned; for never, since its introduction, has it put one single dollar, directly or indirectly, into the pockets of the Canadian farmers. True, it is an entirely different matter from the manufacturer's standpoint, but it has been of no benefit to the farmer whatever. That is one promise that was not redeemed. Was there any other promise made in that year? Yes, there was. The farmers were told that the prices they got for the various cereals and products of the farm would be increased, and that they would get the control of the Canadian market. I have a table of facts and figures on that subject, and I challenge successful contradiction of one single figure that it contains. I have consulted the best

authorities on the prices prevailing on the 15th of March in each year, from 1878 to 1887, inclusive, and they were as follows:—

Name of Product	1874.	1875.	1876.	1877.	1878.	Average.	1879.	1880.
	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.
Wheat, fall.....	1 27	0 91	1 00	1 36	1 02	1 11	0 93	1 27
do spring..	1 15	0 89	1 00	1 42	1 18	1 12	0 86	1 26
Barley	1 35	0 85	0 76	0 68	0 59	0 83	0 64	0 63
Oats	0 45	0 45	0 34	0 50	0 35	0 42	0 39	0 40
Peas	0 70	0 77	0 70	0 73	0 65	0 71	5 75	6 15
Dressed hogs....	7 35	8 00	8 60	6 00	5 25	7 04	0 62	0 68
Turkeys.....	1 75	1 80	1 12	1 50	1 60	1 56	0 92	1 10
Butter (tub)....	0 37	0 23	0 27	0 17	0 18	0 22	0 15	0 27
Eggs	0 19	0 29	0 19	0 18	0 14	0 20	0 19	0 14
Apples (brls.)..	2 75	2 25	1 89	2 00	3 25	2 43	1 88	3 00
Potatoes (bush.)	0 50	.....	0 50	.....	0 41	.....	0 70	0 38
Hay	22 00	20 00	17 00	13 50	17 00	18 00	10 25	9 00
Straw	15 00	9 50	9 50	9 25	13 00	11 25	7 00	5 50
Wool	0 3	0 33	0 29	0 26	0 21	0 29	.....	.....

Name of Product.	1881.	1882.	1883.	1884.	1885.	1886.	1887.	Average.
	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.
Wheat, fall.....	1 08	1 20	0 98	1 04	0 80	0 82	0 82	0 99
do spring..	1 14	1 24	1 05	1 10	0 81	0 78	0 82	1 01
Barley	0 85	0 80	0 68	0 61	0 66	0 77	0 52	0 68
Oats	0 39	0 44	0 47	0 39	0 39	0 37	0 35	0 40
Dressed hogs....	7 80	7 88	8 13	8 70	5 87	6 25	6 38	7 00
Peas	0 67	0 80	0 77	0 77	0 59	0 59	0 51	0 67
Turkeys.....	1 87	1 00	1 75	1 62	1 50	1 15	1 15	1 34
Butter (tub)....	0 20	0 20	0 22	0 18	0 16	0 17	0 17	0 19
Eggs	0 18	0 15	0 22	0 20	0 23	0 21	0 16	0 19
Apples (brls.)..	1 25	2 25	2 50	3 39	1 75	1 88	2 75	2 30
Potatoes (bu. h.)	0 45	0 80	0 50	0 30	0 50	0 41	0 55	0 51
Hay	13 50	10 50	13 25	7 75	10 00	13 25	12 00	11 00
Straw	8 50	8 25	8 50	7 75	9 75	8 00	8 00	8 00
Wool	0 24	0 18	0 18	0 18	0 17	0 17	.....	.....

The following table is compiled from the last one, and shows the average price of wheat in the period from 1874 to 1878 inclusive, as compared with the average price in the period from 1879 to 1887 inclusive, and shows also how much each farmer has lost on an estimated produce in consequence of the fall in the prices of the products named:

Name of Product.	Price from 1874 to 1878.	Price from 1879 to 1887.	Difference.	Estimated produce.	Amount lost by fall in prices.
	\$ cts.	\$ cts.	\$ cts.		\$ cts.
Wheat	1 11	0 99	0 12	200 bush.	24 00
Barley	0 85	0 68	0 17	150 "	25 50
Oats	0 42	0 40	0 02	150 "	3 00
Peas	0 71	0 67	0 04	75 "	3 00
Dressed hogs....	7 04	7 00	0 04	10 cwt.	0 40
Turkeys.....	1 56	1 31	0 22	10 "	2 20
Butter.....	0 23	0 19	0 04	203 lbs.	8 00
Apples, per brl...	2 69	2 30	0 39	15 brls.	5 85
Eggs	0 20	0 19	0 01	50 doz.	0 50
Hay	18 00	11 00	7 00	5 tons.	35 00
Straw	11 25	8 00	3 25	5 "	16 25
Wool	0 34	0 22	0 12	50 lbs.	6 00

I want to call attention to the particular article of wool. In 1878 the Tory orators—and their voices are almost resounding in my ears at present—when addressing agricultural audiences, declared that as soon as we got protection, the large woollen factories that became established in this country would buy all the wool the farmers had to sell,

and that when the manufacturers would be competing with each other for the wool, the farmers would get a larger price for it; yet these gentlemen knew quite well at the time that there was no such prize in store for the farmers. I ask, have the farmers realised the high prices that were promised them in 1878, under the fostering care of the National Policy? The figures I have given show that the price of wool has been reduced from 34 cents to 21 cents a pound, a loss to the farmer of 12 cents. on every pound of wool he produces. Now, taking the total average losses which the farmers have incurred from the reduction in the prices of the articles I have named, an average farmer loses every year \$129.70. How does this affect the county of Huron, one of whose railways I represent? There are in that county 7,855 farms of 100 acres each—say 7,000 farms, making ample provision for waste lands. A loss of \$129.70 on each amounts to a loss on all the farms in that county every year of no less than \$907,900. The farmers of Huron every year receive that much less for their produce under the present policy than they received during the Government of my hon. friend from East York (Mr. Mackenzie). Yet hon. gentlemen opposite get up with a certain degree of confidence and assert that the farmers are in a more prosperous condition than they were before. We are told that the land is now worth, acre per acre, as much as before. How can that be possible? Does not the value of land depend on the amount of production and of profits? Does not the value of bank or railway stock, or of any stock, depend on the percentage it pays to the stockholders as a dividend? If the dividend is small, the stock goes down. So it is with the farming community. We were told that the people sustained the National Policy in 1878, and endorsed it in 1882. I deny that the people endorsed it in 1882. In 1882, the Government did not go before the same jury as they did in 1878. They had gerrymandered the entire length and breadth of Ontario to such an extent as almost to obliterate the previous landmarks of the constituencies, so that the result could not be taken as the criterion of the opinions of the people. Besides, the reaction had not set in completely. For the first few years a rush was created by moneys being taken from other sources of investment and put in manufactures. Sir Leonard Tilley, the then Minister of Finance, said that the time had come and would continue for the next ten years, when the manufacturers should put out full sail in every part of the country. Many people who had their moneys invested in careful and canny—if I may use a Scotch expression—business, acting on this advice, withdrew their money and put it in manufactures, which led to a certain increase in employment. The farmers also had good crops. The leader of the Government said, in his celebrated speech at Park Hill, that the clerk of the weather was a good Conservative and that accounted for the good crops. I think that good Conservative is surely dead, and I hope the hon. gentleman will succeed in replacing him. There were good crops in 1881, 1882 and 1883 in Canada, while there were bad crops in foreign countries. This raised the prices to our farmers, who were led to believe that the rise in prices was due to the National Policy. They consequently, to a large extent, endorsed the policy, which, in their ignorance they supposed gave them the prosperity that came from the good crops and the high prices alone. The readjustment of the tariff now proposed is of such a character that it does not weigh equally on the shoulders of the rich and the poor, but falls with the greatest weight on the people who are the least able to bear it. Take, for instance, the article of organs. We are all fond of music, and it is becoming popular to have a music box in almost every house in the country. The daughter of the mechanic or the laborer can enjoy music just as well as the daughter of the millionaire, but if the farmer wants an organ, he must pay 30 or 40 per cent. duty, while the millionaire can get in his grand piano at 20 per cent. duty.

Mr. MACDONALD (Huron).

Again, if the ladies of those millionaires want to wear sealskins, they get them in at 15 per cent. duty, while the wife of the mechanic, if she wishes to wear an imitation seal, has to pay 30 per cent. Again striped shirting, largely used by the laboring classes, is charged from 35 to 40 per cent., while the fine check shirting used by gentlemen, and not adapted to working people, only pays 30 per cent. The gross fabrics used by lumbermen, farmers and others pay 40, 60, 80 and even 100 per cent., but the fine blankets that are imported from France to keep the bodies of the millionaires warm in the winter pay only 30 to 40 per cent. Take silk dresses. There is 32½ per cent. charged on calico and prints, while silks and satin and velvet only pay 30 per cent. Take, for instance, chromos which adorn the houses of the people who have not the means to go to Italy, France and Spain, and get copies of the old masters. These are charged 20 per cent. duty, while the millionaire, as in the case of an hon. gentleman opposite who went to New York and paid no less than \$46,000 for a grand picture to adorn the walls of his grand parlor, gets his valuable pictures in free of duty. Any person who imports a work of art that is considered excellent, or is the copy of the work of some great artist, gets it in free of duty, while the workman has to pay duty on the simple chromos that adorn his walls. It is said that to encourage art we should let valuable pictures in free, so that our artists may have something to incite them to greater efforts; but what has the poor farmer and artisan to do with them? Why should he have taxes imposed on him so as to give advantages to those favored classes? The same statement applies to carpets. If a mechanic wishes to buy a carpet, he is charged 35 to 50 per cent. duty. If any hon. gentlemen opposite, whose pockets are fuller than his head, wishes to put on his floor a rich and beautiful carpet, he pays from 25 to 35 per cent. for bringing it into the country. Is that right in the interest of the country? Besides that, they have placed a high protective duty on the simple remedies that the poor people use to take away their aches and pains. There are many people suffering from rheumatism, and such other things, as my hon. friend, the doctor, yonder is acquainted with, and yet those hon. gentlemen opposite come down and place a duty of 50 per cent. on proprietary medicines, when many hundreds and thousands of the Canadian people believe that they have a virtue, although I may not.

Mr. MONTAGUE. Does my hon. friend object to the duty on patent medicines?

Mr. MACDONALD (Huron). I do most positively object to it to that extent, because I believe that if any one thinks these medicines are good, if any one thinks they are better than a tonic which he might receive from the hon. gentleman yonder, if anyone believes that Wizard Oil is good for his joints, and for his sinews and muscles, he has a perfect right to buy it, and yet the Government of this country has imposed a tax of no less than 50 per cent. on those medicines. What shall I put in opposition to this? We had a discussion the other day in regard to the Grand Victoria Park among the Rocky Mountains, and that is to be bought up and put in order at the public expense, to allow the rich people, who have rheumatism and aching through their bodies and joints, to go there and receive the benefit of the sulphur springs, and the balmy air of the mountains, and the refreshing breezes, while the people of this country who cannot afford to go there are not allowed to obtain these simple remedies without paying the unreasonable duty of 50 per cent. I challenge any hon. gentleman opposite, doctor or layman, to point out one of these proprietary medicines which are made in the country. I might go on to point out the burdens of this National Policy which has pressed heavily on the farmers and on the laborers of this country. It has been said that the farmers are the muddills of the country. They are in one sense the muddills, be-

cause they are the foundation of the prosperity of this country, but I fear that, by the legislative action of hon. members on the other side, they will not be actually made the mudsills, but will be pressed deeper and deeper into the mud by the policy of undue and additional burdens upon them.

Mr. MONTAGUE. I do not rise to make any lengthened remarks. I am sure that this debate has been prolonged to a much greater degree than was intended when it began. I only desire to say that I heartily agree with my hon. friend from Huron (Mr. Macdonald) in regard to the feeling which we should have for the great agricultural class of this country. As a medical man, I can, however, scarcely agree with him that the Government are putting an imposition upon any class when they tax the patent medicines. We will not quarrel with him on that point, however, but I will make a proposition to the hon. gentleman, and I will ask him if he will accompany me in a visit to the Minister of Finance and ask him to take the duty off patent medicines and place it upon sulphate of quinine.

Sir CHARLES TUPPER. The admirable speech of my hon. friend the senior member for Pictou (Mr. McDougald) has rendered it unnecessary that I should say anything in regard to the question which has been under discussion to-day, but I wish to call attention to the statement which was made by an hon. gentleman on the other side that a great injury has been inflicted upon Canada in England by the proposals which I have had the honor to submit to the House in connection with the tariff. I will meet that statement by reading a very short extract from the *Financial News*—

An hon. MEMBER. Send it to *Hansard*.

Sir CHARLES TUPPER. The extract I am going to read is so short that it is not necessary, and I do not wish to burden the *Hansard* with the whole article. I will read a single paragraph, which I am sure hon. gentlemen on both sides of the House will be glad to hear. The *Financial News*, after a full examination of the position of Canada and that of the other self-governing colonies, says:

"Canada has been the most prudent borrower of all our self-governing colonies, and she is carrying now the smallest burden of public debt in proportion to her means and population. At the end of 1885 there were in the Australian colonies, including New Zealand, three and a quarter million people, and in Canada four and three-quarter millions. At the same date the Australian governments were owing to this country nearly 141 millions sterling, or an average of £43 14s. 1d. per head, while the public debt of Canada was little more than 40 millions, or an average of £8 11s. 11d. per head. The Australian and South African colonies combined have a population about as large as that of Canada, but the aggregate of their public debt is more than four times as great. It amounted in 1885 to over 165 millions sterling, as compared with the Canadian 40 millions sterling.

And they go on to say that the result of the position which Canada now occupies in the estimation of the financial world, in view of the statements I have been able to make to this House in the Budget speech, is that our 3½ per cents are exchanged at 103½, and I may say that since that date the Canadian 3½ per cents have sold freely in London—as freely as they could be obtained—at 103 ex dividend, that is to say, without the dividend which is to accrue on the 1st of July. I hold in my hand the *Economist*, which is, perhaps, the highest financial authority in England, in which our 3½ per cents are not only quoted at the figures I have mentioned, from 102½ to 103½, but our 4 per cents are quoted as high as from 110 to 111. I give that to hon. gentlemen as the position which we occupy in England in presence of the measure we have recently taken. I will not take up the time of the House in answering the remarks of hon. gentlemen who pointed out the hostility which had been excited in England in consequence of this tariff, because the speech of my hon. friend has completely met that. An hon. gentleman on the other side said that my hon. friend had favored the House with a rehash of the

Budget speech. It is right and it is honest that I should say that if there is any one hon. gentleman more than another who is able to instruct the House in regard to this great and important change in regard to the iron industry, it is my hon. friend the senior member for Pictou (Mr. McDougald), and, further, I may say that the Budget speech is much more indebted to the hon. gentleman than the hon. gentleman is indebted to the Budget speech.

Mr. MILLS (Bothwell). I wish to say a word or two in reference to the topic discussed by the Minister of Finance. The hon. gentleman was not in the country when this discussion took place as to the comparative liabilities of Canada and the Australian Provinces. If the hon. gentleman had been aware of that discussion, he would hardly have made the statement or read the sentence from the *News* which he read on the present occasion. It is clear that the author of that sentence was not very familiar with the subject that he discussed. Now, the hon. gentleman knows right well that all the public works and undertakings, all the important railways constructed in the Australian colonies, are the property of those colonies. They are public works, and a large portion of the liabilities that those Provinces have incurred in the construction of those works are met by the freights and charges imposed upon the traffic, and the passengers upon those lines of railway. If the hon. gentleman wishes to institute a fair comparison between the Australian colonies and Canada, it would be necessary to add to the public debt of Canada the whole of the debt that has been incurred by the various railway corporations that are found in every portion of the Dominion. Now, I am not going at this moment into the discussion of that subject, because it is quite foreign, as much of the discussion on that side of the House this afternoon has been, to the complaint made by the hon. member for South Oxford (Sir Richard Cartwright). That hon. gentleman pointed out that the Finance Minister had enormously increased the burdens of the people of this country, and hon. gentlemen opposite labored assiduously to show that this increase of taxation is not a burden, that in fact taxation, instead of being a burden, is an actual benefit to the population. Then, Sir, we have had the statement made by the hon. gentleman that this benefit does not depend upon the wisdom of the expenditure of the taxes that are collected from the people, but the very fact that taxes are taken out of the pockets of the people, which are in the form of protective duties, in itself confers a special benefit upon the population. Then we were told over and over again this afternoon by the hon. member for Pictou (Mr. McDougald) and by the hon. gentlemen on that side, that the people of this country would be seriously injured if they undertook to trade with foreign countries. Why, we were told they would be sending their money out of the country. Well, that is what we are doing when we carry on trade with other countries. Surely we have no money here, any more than people have elsewhere, except what we earn, and if we can earn more money by applying ourselves to one particular industry than another, we ought to be permitted to do so, and to purchase what we require in the cheapest market. That is all we are doing when we carry on trade. If hon. gentlemen opposite were to stand up and say that every man ought to be his own tailor and his own shoemaker, because he was paying something out of the family and it was going into the pockets of his neighbor, everybody would see the absurdity of the proposition. And yet the proposition that is seriously elaborated this afternoon, and supported by any amount of fallacious statistics, is a proposition exactly of this sort. Now, I am not going to imitate the example of the hon. gentleman. It would be a waste of the time of the House, at this period of the Session, to enter into a discussion of the kind. Sir, Mr. Hobbs says there are men who, when their interests are at

stake, will seriously argue that the three angles of a triangle are not equal to two right angles, and the argument of the hon. gentleman, and the one that has been commended by the Finance Minister, is an argument exactly of this class. It is an argument to prove that that which may be scientifically demonstrated to be true, is not true after all, and that that which experience and the most exact reasoning show to be sound, is the height of political wisdom. Now, the hon. gentleman has told us over and over again that he has not very seriously increased the burden of taxation on the people of this country in the imposition of these duties on iron. I hold in my hand an invoice from Andrew and James Stewart, of Glasgow, representing a sale of certain kinds of tubing—gas tubes, screwed and coupled, $\frac{3}{4}$ inch, 1 inch and $1\frac{1}{4}$ inch in diameter; galvanised tubes $\frac{3}{4}$ inch and $1\frac{1}{4}$ inch in diameter. I find that the amount of this bill is \$430, and that the amount of taxation is exactly \$368; 85, or $85\frac{1}{2}$ per cent. duty; add to this freight and insurance, and then the taxation will be double the original price of the article. And yet the hon. gentleman has sought to persuade himself and the House, and I suppose he hopes the country, that we are doing the right thing, and are pursuing our own interests in trying to attract capital and industry to those pursuits that require a protection or bounty of 100 per cent. in order to enable manufacturers successfully to engage in those operations.

Sir CHARLES TUPPER. It has been usual in this House to allow the Finance Minister to close the debate on a question of this kind. I waited to give the hon. gentleman an opportunity to rise, but I am not surprised that he did not avail himself of it, but took occasion to make a speech to which he could not receive a reply.

Mr. MILLS. But the hon. gentleman does not pretend to say that none of his friends are able to answer?

Sir CHARLES TUPPER. I waited until you were to put the question before I rose, and I say that courtesy to this House required that the hon. gentleman should not take an opportunity, when my mouth was closed, to address the House upon this subject. But, Sir, I do not complain, from a party standpoint, I rejoice. I do not intend to say one word in reply to the hon. gentleman except this: We, in the Conservative party, will listen with great pleasure, will read with great pleasure, the speech of the hon. member for South Oxford (Sir Richard Cartwright), the speech of the hon. member for Halifax (Mr. Jones), and the speech of the hon. member for Bothwell (Mr. Mills); they will read these speeches with great pleasure, because they will recognise that these gentlemen are pursuing a contrary course to that pursued by the distinguished gentleman, the leader, for many years, in this House, of the great party opposite, and whose absence from this House and the cause of it, I am sure, every hon. gentleman in this House deplures. That hon. gentleman who is now absent heard my statement made in the Budget speech that he had committed himself to the policy of protection in the country, and he neither challenged nor answered my statement; he spoke again and again before he left this House, but he never uttered one word in reply to the statement that he had committed himself and his party to the policy of protection.

Some hon. MEMBERS. No, no.

Sir CHARLES TUPPER. I say that, in the absence of that distinguished and hon. gentleman, the Conservative party, that great party who believe that the interests of Canada require that they should continue to control the public affairs of this country, will learn with great pleasure the fact that the prudent course adopted by the leader of that party has been abandoned by hon. gentlemen opposite, and that those who now lead that party have again raised the flag of free trade in this country, have again denounced

Mr. MILLS (Bothwell).

the policy of protection in this country, and again put themselves before the people in the same attitude that has kept them where they are since 1878, and which will keep them where they are until they retract and repudiate the doctrine they now profess.

Mr. MITCHELL. I am certainly surprised at the speech delivered by the Minister of Finance at this stage of the debate. I am not speaking for any member on this side of the House except for myself, and when the hon. gentleman refers to hon. members on this side, who have abandoned their policy of protection, I can only say for myself that I entertain the same leanings I did in 1878 with respect to the moderate protection of the industries of the country. But when the hon. gentleman states that the hon. gentleman who leads the party on this side, who is not now in his place, departed from his principles, I must say that what I understood the hon. member for West Durham (Mr. Blake) to say in all the public statements he made, was this: that the country had twice endorsed the principles advocated by the First Minister, who came down in 1878 and asked the country to adopt a policy of moderate protection. What is the state of things to-day? Does any one pretend that the Bill under discussion is a Bill in any sense one for moderate protection? I say it is not. I entertain the same feelings I did in 1878, when I came out and sacrificed myself in order to secure protection for the industries of the country. But I find that hon. gentlemen opposite have made a pretext of protection to come before Parliament and the country and impose on the people burdens under the name of protection, a revenue tariff which is going to be oppressive and inflict great injury on the people. I think the hon. Minister, at this late hour of this debate, and this late stage of the Session, ought not to have launched out into one of those tirades of which he has just given us an example. It would be very much better for the hon. gentleman to confine himself to the facts, that the policy we are now called upon to endorse, and the Bill we have under consideration, is a Bill for the protection of the industries of Nova Scotia, not the policy for which I fought with them in 1878. I do not know what course may be pursued by hon. gentlemen on this side of the House; I speak for myself. I entertain the same feelings as I entertained in 1878, but I will resist, as far as I can, all attempts made, year after year, to force a different tariff on the country. It is most destructive to the interests of trade to constantly change the tariff; it interferes with the operations of merchants and paralyses those operations; and even now we have a tariff which very few can understand. Do we believe that if we had told the people, in 1878, that we were going to impose duties equal to 90 or 100 per cent. on iron products, that the country would have accepted the National Policy? No, they would have indignantly rejected it. But hon. gentlemen have got into position, they have managed to get into the saddle, and time after time by the use of the enormous sums which they have secured from the increased revenue, they are able to throw here a sop in the shape of a railway bonus, and there a sop in the shape of a railway bonus, and they have corrupted the constituencies of this country and by that means have been enabled to hold power. I see a smile on the face of the Premier. He is well known to be an able and a clever man, and a very cunning one too, and he will no doubt smile on this statement I am about to make—he will smile in his sleeve—that hon. gentleman opposite think: We have got them now, and we have them for a long time to come; we have rolled up a debt that it will be impossible to pay unless we continue to keep up the taxation on the people which we impose by this Bill. I knew that would draw a smile from the hon. gentleman. With him I know it is: after me the deluge. He cares about nothing but to retain power. This is the position in which

matters stand. I tell this House that, taking the four millions of acres of land granted as subsidies to be worth one dollar per acre, we will when we close this Session to-morrow or the next day have placed on the people \$55,000,000 of taxation, and that will waken up the echoes from one end of the land to the other and make the people hesitate before they again support the right hon. gentleman.

Sir CHARLES TUPPER. Nobody will believe you, because the statement is not true.

Mr. MITCHELL. The hon. gentleman thinks no one will believe my statement. I think my reputation for veracity and truthfulness will compare favorably with that of the hon. gentleman.

Some hon. MEMBERS. Hear, hear.

Sir CHARLES TUPPER. I congratulate hon. gentlemen opposite on the accession to their ranks.

Mr. MITCHELL. If I was guilty of the exaggeration for which the hon. gentleman is noted, then I would not be surprised at the House being unwilling to believe my statement. I did not intend to speak on the subject; I have been drawn into it by the overbearing course pursued by the Minister of Finance. But I did intend to read a letter which I received from a gentleman, who asked me when the tariff question came up to read it to the House, and I will do so, now that I have replied to the tirade which the Minister delivered on hon. gentlemen on this side who have chosen to discuss a Bill, which they have a right to do:

"MONTREAL, 23rd May, 1887.

"J. M. COURTNEY, Esq.,
"Ottawa.

"DEAR SIR,—In answer to your favor of the 21st instant, for which I am obliged, allow me respectfully to request you will be good enough to call the attention of the Minister of Finance to the inadequate protection on railway car springs and axles, as mentioned in your favor to hand.

"While the duty on raw material is 50 per cent and over, the protective duty on car springs and axles the limit is 35 per cent. This is against the manufacturer in Canada, and detrimental to my interest and other makers in this country. Hence, I respectfully claim the consideration at the Minister's hands which he promised me on Monday, the 16th instant, when I had the honor of waiting upon him at Ottawa. I find, on reference to the tariff, a duty is put upon ordinary carriage springs and axles of 1c. per lb. specific and 30 per cent. *ad valorem*.

"There is no reason that I can see why an exception should be made in favor of railway springs, and think that spring makers are entitled to equal consideration with other manufacturers. With the duties on bar steel and railway springs as fixed, American and other manufacturers will have the advantage of us, and will be able to undersell us in Canada. This can hardly be called National Policy. Anticipating a readjustment of the Tariff, I have the honor to remain,

"Yours respectfully,

"B. J. COGHLIN, per J. O."

Mr. Coghlin is one of the leading hardware and spring manufacturers in Montreal. If the statement is true, then very great hardship is inflicted on the gentleman engaged in that business, and the tariff, as regards those engaged in the trade which this gentleman is prosecuting, is not a tariff which has any National Policy in it.

Mr. LAURIER. There is one remark which fell from the lips of the Finance Minister which should not be allowed to pass without some further criticism. The hon. gentleman has attempted to associate with his policy the name of the hon. member for West Durham (Mr. Blake). I say, and I leave it to the intelligence of this House and also to the intelligence of the Minister of Finance, that nothing could be more bad taste than to attempt to say that because the member for West Durham (Mr. Blake) did not discuss this question, it was because he did not dare to state his views.

Sir CHARLES TUPPER. I did not intimate that he did not dare to state his views.

Mr. LAURIER. Then what did the hon. gentleman mean?

Sir CHARLES TUPPER. I stated in my Budget speech in plain and distinct terms that the member for West Durham (Mr. Blake) had committed himself in the most unqualified terms to the policy of protection,—

Some hon. MEMBERS. No, no.

Sir CHARLES TUPPER. Read the speech, you have it in *Hansard*; and he assured the manufacturers of this country that they had nothing to fear. I congratulated the House and the country upon the fact that the time had arrived when we were at one on that question. I made that statement in the presence of the hon. gentleman himself; he addressed this House again and again, between that time and the time at which he was unfortunately obliged to leave the House, without his ever having questioned the accuracy of my statement or the soundness of the inferences I drew. That is what I said.

Mr. LAURIER. If the hon. gentleman meant, when he referred to the speech of the hon. member for South Durham (Mr. Blake) what he has just stated, I have nothing more to say, because the speech is there and it speaks for itself. What that hon. gentleman said was this: that if his party were returned to power they would not act like a bull in a china shop and try to demolish everything, but that everything would be revised where it should be revised. I am glad I have drawn from the hon. Finance Minister the disclaimer which he has made—that his reference to the attitude of the hon. member for West Durham (Mr. Blake) were not as I understood him. I understood him to say that if the voice of the hon. member for West Durham (Mr. Blake) had not been heard on the question, it was simply because he had changed his views.

Sir CHARLES TUPPER. The hon. gentleman will find my speech in *Hansard* exactly as it was spoken.

Mr. LAURIER. I accept the disclaimer of the hon. gentleman, and since he has made that disclaimer I have nothing more to say. The views of the hon. member for West Durham (Mr. Blake) are well known. He has not attacked every item of the tariff, but he has urged his views again and again, and no one of those views with more force than that the present tariff, or the tariff such as it was before this last revision, was oppressive to the working man and the poorer classes of the community; and I am sure that if he had his voice and were here to-day, he would say that it was ten times, yes a hundred times more so than ever before.

Mr. PATERSON (Brant). I am not going to debate this question on its merits but I must say that I think that when the Finance Minister rebuked my hon. friend from Bothwell (Mr. Mills) for speaking after him, he should have set the example of not introducing new matter, and making statements which he knows we on this side could not agree with. I find on looking over *Hansard* that what I am now about to bring before the House has not apparently been considered at any length, and that is the clause providing for the extension of time with regard to goods purchased before the 13th of May. Now, I think it is desirable that the Minister of Customs should, if he has not already done so, publicly state now whether he has made rules which will guide his officers in the various ports, and what evidence he is determined to accept as satisfactory with reference to the purchase of these goods. I think it is desirable that there should be perfect and absolute uniformity, and that it should not be left in the discretion of the officer in one port to accept as proof what would be refused by the officer in another port. I think the Minister must already have devised and detailed a plan as to what evidence he deems satisfactory, and I think it would be in the interest of the country that he should publicly state now whether that evidence shall be the production of the original letters ordering the goods, or whether they must be certified by

affidavits from the country in which they were purchased, and all that is required to make this proof. I think it is only reasonable and in the interest of the public that this should be made known.

Mr. BOWELL. There is nothing unreasonable in the request of the hon. gentleman. Just as soon as the Government determined on the policy which has been pursued with reference to the extension of the time for the admission of goods purchased before the 13th of May, instructions were sent to each port as to what would be considered evidence which would enable the importer to enter goods at those rates, that evidence being, first, the production of the order which had been sent to the European or other market for the goods, and, secondly, the evidence from the party from whom they were purchased that the order had been received and accepted prior to that time. The object in giving that instruction was this: orders might have been given for goods, and then cancelled; after the extension of the time, importers could have cabled to parties in a foreign country ordering them to forward the goods. In all cases where it is deemed necessary from the character of the importer and the fact that the evidence is not sufficiently strong in the way of letters, invoices and other documents, then they are instructed to take an affidavit. The fullest instructions, I think, have been given to meet every case, as it was a matter which was discussed very fully by the commissioner and those who were charged with carrying out the details.

Mr. PATERSON (Brant). Will all these be revised at the head office?

Mr. BOWELL. Certainly not.

Mr. PATERSON (Brant). I think there should be absolute uniformity. I do not know whether the character of one importer can count for more than that of another—

Mr. BOWELL. I am glad to have the hon. gentleman put that sentiment on record.

Sir RICHARD CARTWRIGHT. I notice that British Columbia gets four months longer in the way of an extension of time than the other Provinces, and I cannot understand why so much time should be allowed. It also appears to me that the 1st of July, under the circumstances I narrated the other day, gives too short a time. I think it should be made the 1st of August, but four months extra is, under the circumstances, an unreasonable time for British Columbia.

Sir CHARLES TUPPER. I may say that some of the rails imported for the construction of the Canadian Pacific Railway were six months coming from London and Victoria. It is only goods imported into British Columbia *via* Cape Horn that are admitted up to the 1st of November, and experience proves that the time is not too great, because part of the condition is that they must have been purchased in England prior to the 13th of May. No purchase after that can be imported into British Columbia under the old duty, and that being the case we had to be governed by our own experience as to the time which was frequently occupied in transportation.

Mr. PATERSON (Brant). I did not quite understand what the Minister of Customs meant by saying he was glad I had put myself on record. I sat down expecting that he would go on.

Sir CHARLES TUPPER. Putting yourself on record in strengthening the Minister's hands in dealing alike with every person.

Mr. PATERSON (Brant). I understood the Minister to say that in certain cases an affidavit might be required if the character was not just so, and it seemed to me that one rule should apply.

Mr. PATERSON (Brant).

Mr. BOWELL. The hon. gentleman does not go quite far enough. I said that if the character of the individual and of the evidence produced—the documentary evidence I meant—was not sufficient, then an affidavit might be asked for to sustain that evidence. It has been contended by merchants and gentlemen interested, that the character of the importer should have a great deal to do with the settlement of cases in which the law has been violated—cases of smuggling, under-valuation and so on, and I am glad to hear the hon. gentleman say that, in the administration of the law, when a distinct principle is laid down, it should be administered to all alike, no matter who the individuals may be.

Mr. WATSON. I would call the attention of the Minister to the fact that importers in Manitoba and the North West are placed at a great disadvantage, as compared with those in the east, on account of the limited time allowed for bringing goods into the country which were purchased prior to the passing of this Act. The time was extended to the 1st of July. The importers in Manitoba and the Territories who have communicated with me state that they will not be able, in some instances, to have their goods brought in by that date. I think, in fairness to the Manitoba and North-West merchants, an extension of time should be granted to them.

Mr. SCARTH. I would like to say this, that the other members for Manitoba have brought before the proper Minister the subject the hon. member for Marquette has spoken of, and that we have received from the Minister a letter stating that he will look thoroughly into the matter, and do what he can in the interests of Manitoba.

Sir CHARLES TUPPER. I beg to say that the Government have fully considered this question. The importers of Halifax and St. John made a strong representation to the Government, stating that the season is earlier in Quebec and Ontario than in the Maritime Provinces, and that they ought, therefore, to have an extension of time. The hon. gentleman who has just spoken is aware that the season is still earlier in Winnipeg than it is in Quebec or Ontario. On the other hand, the importers of Toronto and Montreal, especially those of Toronto, have represented to the Government that as the goods reach Halifax and St. John earlier than they can reach Toronto, the merchants of the Maritime Provinces have advantage over them. All these matters have been considered, but it was found absolutely essential to fix a time. The 1st of July was fixed, and will have to be regarded and accepted by everybody. I do not think I can extend the time either in the Maritime Provinces or in Ontario and Quebec, or in the North-West on any of the grounds stated. As I understand, there is no difficulty in the way of entering goods in Winnipeg, Toronto or Montreal, the moment they reach Canada. Therefore, I wish it to be distinctly understood that there can be no extension beyond the 1st of July.

Mr. WATSON. Has British Columbia an extension of time?

Sir CHARLES TUPPER. It has no extension of time, except as regards goods imported *via* Cape Horn, by which route it sometimes takes six months for the goods to reach the country, and then it is only for goods ordered before the 13th day of May.

Motion agreed to, and Bill read the third time and passed. It being six o'clock, the Speaker left the Chair.

After Recess.

DIVORCE—RELIEF OF SUSAN ASH.

Mr. SMALL moved the third reading of Bill (No. 135) for the relief of Susan Ash (from the Senate).

Mr. MILLS (Bothwell). I would like to know whether the hon. gentlemen who have charge of the Bill, are prepared to amend it in accordance with the wishes of hon. gentlemen on both sides of the House. The complaint is that the preamble of the Bill made untrue allegations as to the facts of the case. It is evident that the only ground upon which the promoters seem to depend is that, if the untrue allegations were admitted, the application would not fall within the rule recognised as the rule upon which Parliament is willing to dissolve the marriage bond. It is a well settled rule in the courts of England and the United States, that where one party obtained a legal discharge of the legal bonds the other party is equally released, though the court may have made no declaration with regard to that party. It appears that Susan Ash, in her petition, admits that her husband was already divorced by the Supreme Court of the State of Massachusetts, but in this case it appears that this Susan Ash, in making her application, admitted that her husband was already divorced from her under a judicial proceeding of the Supreme Court of the State of Massachusetts, that he had resided there for the time required by the law of Massachusetts before making application, that he claimed to be a resident of the State, having domicile there, that after obtaining that domicile he made application in due form for a discharge from the marriage bond and obtained a decree, that the decree of the court was set forward by this woman in her evidence. The moment she stated that fact, and stated it as a fact, she was under obligation to prove, if she wished to obtain a divorce on the ground that her husband was living in a state of adultery, that he had not acquired a domicile in the State of Massachusetts, and that he could not legally obtain a discharge from the marriage bond which could be recognised in the courts of this country. She has not done that. The burden of proof was on her throughout, and if the promoters of the Bill wish to obtain the support of those who have already voted against its third reading, it is necessary they should remove their reasonable objection by making the preamble of the Bill to conform to the facts. It seems to me a monstrous proceeding to call upon members to make an untrue allegation, and an allegation calculated to cast a stigma upon the character of the other party, and upon his children as well.

Mr. SMALL. I do not feel disposed to accept any amendment at this stage, for the reason that if an amendment is made and the Bill sent back to the Senate, it may be thrown out.

Mr. TUPPER (Pictou). I hope my hon. friend will not insist upon taking a vote on the Bill as it now stands, for this reason: there is danger that, in consequence of the different members of the House who believed that Susan Ash should have relief, but differ as to the manner in which the preamble should be drawn, she may obtain no relief at all, which would be a most unfortunate result for this application. I would ask that the suggestion of the hon. member for Queen's (Mr. Davies) should be accepted as a way out of this difficulty. It will enable those who differ as to the manner in which the Bill should be drawn to support the Bill in the amended form. The suggestion of the hon. member for Queen's, after consultation with some hon. members in the Senate, is simply to eliminate from the preamble the declaration that the woman is living in a state of adultery. Those who do not believe that the Massachusetts decree is valid and binding, would be thus able to vote for the relief of Susan Ash, on the grounds that the husband committed adultery, and those who believe that the decree of divorce obtained by the husband is valid, would be able to vote for granting relief to Susan Ash for other reasons—reasons, perhaps, not good in a court of divorce, reasons, perhaps, political as to the right and power of Parliament to declare invalid a mar-

riage for any cause it may think proper. While still holding to the opinions I expressed on a former occasion, I am prepared to accept an amendment in that direction, and to vote for the relief of Susan Ash.

Mr. MULOCK. I voted in the committee for the Bill as presented to the House, and I did so under the impression that the Senate would not consent to a Bill for divorce which did not contain the allegation now complained of. I have since spoken with a prominent member of the Senate that the Bill would pass that body, if the objectionable recital were excluded from the preamble. I would, therefore, advise the promoters of the Bill to fall in with the suggestion of the hon. member for Pictou (Mr. Tupper) and consent to the removal of this objectionable recital. There appears to be a common opinion on both sides that this woman is entitled to relief, and it will reflect much credit on our intelligence if we cannot succeed, by the removal of a few formal words, in granting her that relief.

Mr. SMALL. I am quite willing to accept the suggestion of the hon. gentleman.

Mr. DAVIES (P. E. I.) As far as I can gather, all those interested in the Bill are in favor of the amendment the hon. member for Pictou has outlined; that is, that a certain objectionable phrase be removed in the preamble. I move that the order for the third reading be discharged and the Bill be referred back to Committee of the Whole for further consideration.

Motion agreed to, on a division, and House again resolved itself into Committee.

(In the Committee.)

Mr. DAVIES (P. E. I.) moved that all the words in the preamble, commencing in the tenth line, after the words "sixty-eight," be struck out, namely, "That on or about the said fourth day of September, 1868, owing to the said William Manton's conduct, it became impossible for her to continue to live with the said William Manton as his wife;" and also that the word "pretended" in line 18, be struck out, and the word "alleged" substituted therefor, and that in the 19th line, the words "in a state of adultery" be struck out.

Preamble, as amended, agreed to.

Bill reported, read the third time and passed, on a division.

THIRD READING.

Bill (No. 143) to enable the Canada Permanent Loan and Savings Company to extend their business, and for other purposes.—(Mr. Cockburn.)

SUBSIDIES TO RAILWAYS.

Mr. WHITE (Cardwell) moved that the House resolve itself into Committee of the Whole on Bill (No. 164) to authorise the grant of certain subsidies in land for the construction of the railways therein named. He said: I wish to ask permission to add a clause to this Bill that was omitted in the draft of the Bill itself. The following is the clause:

"The said grants, and each of them may be so made in aid of the construction of the said railways respectively, in the proportions and upon the conditions, fixed by the Orders in Council, made in respect thereof,—each of the said enterprises being respectively subject to any modification thereof which may hereafter be made by the Governor in Council, and, except as to such conditions, the said grants shall be free grants, subject only to the payment by the grantees respectively of the cost of survey of the lands and incidental expenses, at the rate of 10 cents per acre in cash on the issue of the patents therefor."

Motion agreed to; Bill considered in Committee, reported, and read the third time and passed.

SUPREME AND EXCHEQUER COURTS ACT.

Mr. THOMPSON moved that the House concur in the amendments made by the Senate to Bill (No. 111) to amend the Supreme and Exchequer Courts Act, and to make better provisions for the trial of claims against the Crown. He said: There is a very slight amendment. There was a provision made, that until the Act came into operation, pending business should be proceeded with as before, and the Senate added the words "in which the hearing has commenced, or in which the cause has been set down."

Amendments concurred in.

ELECTORAL FRANCHISE ACT.

Mr. THOMPSON moved the second reading of Bill (No. 114) to amend the Electoral Franchise Act.

Mr. MILLS (Bothwell). I would like to ask the hon. gentleman whether he is prepared to consent to amend this Bill in such a way as to permit voters' lists to be amended in those constituencies where the elections are being contested. The hon. gentleman knows that it is stated that, in many of the constituencies, the electoral lists are seriously defective. Of course, it might turn out that a seat became vacant from some unforeseen circumstance, but the risk is not very great. But where petitions are filed against sitting members we know that the facilities which the law affords for unseating a member, not simply on account of his own conduct, but on account of the misconduct of some of his own agents during the heat of an election, is so very great that it would be quite improper if the House failed to make provision for a proper election list in such constituency. We know that the last list was, in many constituencies, seriously defective. I need mention no other case than the list in the county of Kent. There were, I think, 1,450 names put upon that list whose right to be there was contested by the Reform party. We know how that list was made up. I have the list here; if it was not so late in the Session I would read a statement to show how the revising officer proceeded with its preparation. When the court of revision sat an effort was made to strike a number of those names off the list, and between three hundred and four hundred were so struck off; but there was a difference between the counsel who were asking for the removal of the names and the revising officer. A writ of *mandamus* was obtained from one of the Superior Courts, and that officer was ordered to correct the list in accordance with the contention of the counsel in those cases. It was agreed between counsel and the revising officer that the rule which the Superior Court had laid down with respect to those particular cases should be applied in other instances; but, after the ruling was given, the revising officer refused to be governed by that understanding, and so the list continued to be seriously defective. I believe at the last election, in some of the polling divisions, a large number of persons came to vote there from Detroit, men who had never been in the county. Fictitious names were put on the lists, the names of persons whom the people in the locality had never heard of before. When those persons had recorded their votes they took the next train for the American side. There was no possibility of punishing them for having made a false declaration, and having voted upon it. Their names still remained there, and the result was that what was done at the last election might be done if another election took place. This House would be wanting in its duty to the country, if it failed to make provision in those constituencies. We pointed out to the First Minister, and hon. gentlemen who were associated with the Government when they introduced this Bill, that it would entail serious expenditure on the country, that it was cumbersome and defective, that it could not be enforced without very large expenditure, that it would entail not only a great

Mr. WHITE (Gardwell).

expense in order to pay for revising officers and publication of the lists, but serious expenses upon the parties who were seeking election to Parliament in order to keep those lists reasonably accurate. The hon. gentleman did not accept that view, and our experience of it has been borne out by the experiment; and now the hon. gentleman, instead of repealing this Bill and going back to the old policy of utilising the lists that were in force in the various Provinces, proposes that a period should be allowed to go by without any amendment of the lists taking place. We know that a considerable number of our population are migratory; they move from place to place; they go wherever their interests for the time require them to go and where those interests are best served, and I do not overstate the case when I say that, within twelve months, there is an average change of 10 per cent. in the voters' list, if the list is carefully revised. So in an ordinary list of 6,000 voters there will be a change of 600 every year, and that of itself, when you look at the average majority secured by those who run for Parliament, is a very large number, and a number sufficient to turn the election either for or against any particular candidate. That being the case it seems to me we would be acting most improperly if we failed to make a revision, at all events in those constituencies where we see that, in all probability, an election may take place, because I think we may fairly assume that the House would not be exercising due diligence and precaution, wherever a seat is contested, if it did not anticipate an election and make all necessary provision to obtain a correct voters' list. To appeal to the country on any other list would be manifestly unfair. Why, when the representation of Haldimand became vacant twelve months ago, and it was asked why the Government had not issued a writ in accordance with the decision of the House in that case, the First Minister said the voters' list was not completed, that the qualifications of the voters having been changed it would be improper to proceed with the election until a new list was completed in accordance with the provisions of the law. The reason which the hon. gentleman thought sufficient to justify him in refusing to go forward with the election in that case should justify this House and I will go now further and say it should make it the imperative duty of this House, morally at all events, to take all necessary steps to see that a proper voters' list and one in accordance with law is prepared so that the elections when they take place may be a fair and honest expression of the opinions of the electors in each of the constituencies where such an election takes place. I do not wish to detain the House, because I am anxious, as I am sure all hon. gentlemen are, that this Session should be brought to a close.

Some hon. MEMBERS. Hear, hear.

Mr. MILLS (Bothwell). I am glad to hear those expressions from hon. gentlemen opposite, and I hope they will assist us in facilitating the discharge of public business, and they can do so by pressing upon the attention of the Government the propriety of securing a proper voters' list in all those constituencies where an election is likely to take place.

Mr. THOMPSON. I explained very briefly to the House when I introduced the Bill, the principle on which it was founded. The electoral lists all over the country last summer were revised with keen contest on both sides, as regards the political parties, and the hon. gentleman has called our attention to one county in which he says important defects still exist in the revised lists. I think the object of the Bill would be antagonistic to the amendment which the hon. gentleman proposes. The object of the Bill is that the electoral list, having thus been established with as great care and diligence, as regards the parties interested, as can be expected, it is desirable to suspend this year's revision in order that steps may be taken, by information

which is now in our possession, to considerably reduce the expense of the revision. The circumstance of defects having occurred in the revision is, of course, unavoidable. I am not in a position to know, except from the statements which have just been made, as to any defects with regard to the county of Kent, but I well conceive that, in many constituencies, there may be defects, owing to the want of full and accurate information; and, no doubt, if that revision took place again this year, defects would occur in spite of any amendment which could be proposed. The proposition of the Bill is, that the revision so made shall be held in force for another year with a view to economise, first, with regard to the expense of revision this year, and, secondly, with a view of establishing some permanent change in the Bill which will economise the expense of the revision hereafter. I can see no reason why we should say, as regards any county of which it may be said that defects have occurred, that it should be made an exception. The same thing might be said of any county, and the vacancies which the hon. gentleman points to as possible to occur, in consequence of petitions having been filed against the sitting member, might occur for any other reason in other counties, so that there would be a distinction made between one set of counties in respect of which petitions have been filed, and those in respect of which vacancies have occurred in any other way.

Mr. JONES. It appears that the Government are under the impression that they are going to gain some advantage by retaining the lists in their present shape. That can be seen on the face of the matter without much difficulty. When this Act was passed, and when it was submitted last year to be carried into effect, it was a new Act; we had a new class of officers created for the purpose of carrying it into effect, and while I will not pretend to say that in every case they did not discharge their duties fairly, I know that in many cases there was marked partiality and very great complaints made against the revising barristers; so much so that I know, in some counties, and notably in the county of Halifax, there are suits going on at this very moment against the revising barristers for having omitted names which were proved in a proper and legitimate manner, but were left off on the final revision. The Government are asking a most extraordinary power. They ask to suspend the operation of an Act which they themselves put on the Statute-book only one year ago. That is an evidence, in the first place, that the Act is an improper one; it is an evidence and admission on the part of the Government that it has imposed an expenditure on the tax-payers of this Dominion which they can no longer advocate. But, having accomplished their purpose at the general election, hon. gentlemen think now that with the advantages which they gained through partisan revising barristers they can assume the *role* of economists, and come down and ask the House to suspend the operation of an Act which they themselves placed on the Statute-book. The hon. member for Bothwell (Mr. Mills) pointed out very properly the position taken by the Government a year ago, when a vacancy occurred in the county of Haldimand. What was the argument of the First Minister on that occasion? The hon. gentleman delayed the issue of the writ for the county, on the ground that the electors should be consulted, up to the very last moment, that the actual electors of that county should have an opportunity of saying who should represent them in Parliament. What do they propose now? They propose, not that the electors of 1887 shall elect the representatives in the case of vacancies occurring in 1887, but that the electors of 1886 shall elect the representatives for 1887. Why, it is a monstrous proposition. It could only come from a corrupt Government. It could not come from any Administration in any British possession or in any part of the

British dominions, which had any regard for consistency or for British usage or practice. I say emphatically, in the presence of hon. gentlemen opposite, that there is no Administration in any part of the British dominions that would dare to bring down a Bill to suspend the operation of an Act, and ask that the representatives to this Legislature should be elected by the electors of the previous year. We know that, with the experience gained during the last revision of the lists, those revising officers who carried out the behests of the Government are still there. We know very well, and have reason to assume, that they would understand their duties better to-day than they understood them when the Act was new to them; and I have no doubt that many of them have enough conscience left to discharge their duties well. But be that as it may, the Government have no right to step in and prevent them. I contend that the Government are guilty of an arbitrary, unconstitutional and improper exercise of authority and interference, in attempting to prevent the electors of this Dominion, where vacancies may occur, from giving free expression to their desires and wishes as to who shall represent them in Parliament. I had hoped that there was still some sense of propriety lingering on that side of the House, although we have looked for it in vain during this Session. We have seen votes which the Government have—I will not say compelled—but have induced their supporters to give, with reference to important public matters, which have caused astonishment not only in this House, but throughout the country, and now, in the closing days of this Parliament, they are again to ask their followers to record their votes for a measure which would indicate that they have not yet fully exhausted their servility. I say, Mr. Speaker, that we might hope, if there was any independence in this House, that they would insist upon the Government carrying out, in full force and effect, the Act which they themselves created, and not shelter themselves under the miserable pretext of economy, when that idea of economy is violated every day and hour during this Session, as proved by the votes which they have submitted. No one knows what may happen; as the hon. member for Bothwell has said, all things are possible, and the proposition of my hon. friend is just as fair to one side as to the other. While hon. gentlemen may sit on the Treasury benches, and say to themselves: We have gained an advantage in the revision last year and are going to hold that advantage, the country will hold that they are not properly fulfilling their functions as Ministers of the Crown if they take upon themselves the responsibility of suspending the Act, and preventing the people of this country from giving full, free and ample expression to their will.

Mr. PRÉFONTAINE. I do not see why the Minister of Justice refuses to accept a proposition so fair and just as that of the hon. member for Bothwell. We all know that the lists were not prepared with due care last year. There is no doubt that, in many constituencies, they were not prepared to the satisfaction of the electors. For instance, in the county I have the honor to represent, although I attended most of the meetings held for the revision of the lists, there was a meeting in one parish at which I could not be present, and the result was that in that parish 75 spurious votes were entered on the list, and were cast in the election, so that what was a majority of 88 in July was reduced to a majority of 40 in February. Now, suppose that the county of Chambly should become vacant. I do not suppose it can become vacant as the result of the protest which has been entered, but it may from some other cause. In that county the Government might venture to hold an election with the chance of redeeming it, because they have in one parish 75 voters who have no right to vote, but whom the friends of the Government got placed on the list. Many other counties may also become vacant; and if the Govern-

ment have any real intention of doing justice to all parties, they should accept the proposition of the hon. member for Bothwell. For my part I am not ready to give up the principle of the Franchise Act, as against the franchise being placed under the control of the Provincial Governments. I am opposed to the revision of these lists by barristers; but the Government have promised that next year they will introduce a measure more just and economical than the one we have now. But when the Opposition are not ready to bring on a discussion for the repeal of the Act, the least that could be done would be to accept the amendment which will be proposed for allowing a revision of the lists to take place in counties where there may be elections.

Mr. CAMPBELL (Kent). I think that the list used in the county I represent was the most impure list in the Dominion, and I think I may safely say that no revising officer performed his duty so unjustly and unfairly as the revising officer in that county. His *modus operandi* was this: Before preparing the list, he exercised no care whatever to see that the names placed on it were entitled to go on. He was very careless in that respect, allowing every name submitted to him to go on the list. The consequence was that we sent in appeals against no fewer than 1,400 names. We took the ground that it is the duty of the revising officer to see that the list he is preparing is a fair and just list, which he did not do. There were on the list names of people who never lived in the county, names of people who had died two or three years before, names of people who were not more than 15 or 16 years of age, and names of people who had no property at all in the county, and, consequently, had no right to vote. When the appeals were sent in, the revising officer showed his strong partisanship and his lack of justice in the manner in which he proceeded with them. According to the law 14 days' notice previous to the time of holding the court must be given to the person against whom you appeal; but the judge held that because we had not kept a copy of the notice we had sent, it was, therefore, no notice at all, although the parties who actually received the notice appeared in court and stated they had no right to vote. On that ground that partisan revising officer would not hear our appeals. Then, according to the Act you must serve a notice on the revising officer as well, informing him of the party against whom you appeal. The revising officer had an office in the town of Chatham and had a deputy there. The revising officer was scarcely ever in his office, and, for the sake of convenience, the notices, instead of being served on the revising officer in the street, were served on his deputy in his office. His deputy asked him if he would accept that as a sufficient notice, and he replied that he would; but when the cases came before him in the court, he threw out the appeals, because, as he said, the notices had been served on his deputy instead of upon himself. The consequence was that, on appeal to the high courts in Toronto, I am glad to say the case was decided in our favor on every point, and a *mandamus* was ordered to issue to compel the revising officer to do what he should have done before. Of course this cost a large sum, but we were bound that we would not submit, and we got a *mandamus* from the Superior Court at Toronto, to compel the revising barrister to hear the appeals. We applied for this *mandamus* simply for the town of Chatham, and we asked the revising barrister if he would hear the outside appeals without a *mandamus*, and he said he would. Consequently we did not apply for any except for the town of Chatham. We succeeded, notwithstanding the partisanship of this revising barrister, in striking off no less than 360 names in that town alone, and this, in spite of every objection that could possibly be taken by the revising barrister. Every difficulty was thrown in our way, all the expense he could possibly heap on us we had to pay, but, notwith-

Mr. PREFONTAINE,

standing all that, we succeeded in having 360 men struck off the list. When we wished to have the outside appeals heard, the revising barrister, notwithstanding the promise he had made us, refused to hear them because we had not applied for a *mandamus*. That is the true state of affairs in the county of Kent. There may possibly be an election there in another year, and that list contains 1000 names that ought not to be on it at all. In many municipalities the lists were made on the 1885 list, the last revised list before the Franchise Bill was prepared. Consequently, two years have passed by, and there are hundreds of people who were entitled to vote in 1885 who are not entitled to vote now. The only object in holding an election is to obtain an expression of the will of the people. Therefore, it would be wrong to insist in making this legal for the county of Kent. I think the proposition of the hon. member for Bothwell (Mr. Mills) is a very fair one, namely, that there should be exception made of those counties in which there is likely to be an election within a short time, and I hope the Minister of Justice will accept it. I have no doubt that the lists can be greatly improved. The lists in the county of Kent contain a great many names that have no right to be there at all, the names of men who have never lived in the county and of men who died two or three years ago; while there are hundreds of men who hold property and have lived there two or three years, whose names are not on the list. It would be a great act of injustice to the electors of the county of Kent if a revision were not made. I am strongly opposed to the Franchise Bill. I believe a great mistake was made in passing it. It has proved very expensive to both political parties, and I may say the Conservative and the Reform party in the county of Kent are one on the subject that the Bill should be done away with. But while the Act is retained, I hold that an exception should be made for the county of Kent, and that the lists there should be revised again this year. It would be a great injustice to the town of Chatham, where there are a great many young men, mechanics and laboring men who have acquired the right to vote, should a revision not be allowed.

Mr. LAURIER. I would be disposed personally to look upon this Bill as a step in a right direction. I have always looked upon the Franchise Act, and my opinion is not a solitary one, as being an unmitigated evil. Under this Bill, we are to have at least one year's suspension of evil, and there is reason to hope, from the congratulations showered on the Minister of Justice for the step he has taken, that next Session he may be induced to propose the suspension of the Act for another year. After this relief we may be relieved one year more from the incubus, so that from year to year the Act may be suspended and never more applied. If I did not anticipate that the Minister of Justice would take the step he has just taken, I would have insisted on bringing forward my motion for the repeal of the Act altogether. However, at this stage of the Session, and since the Act is to be suspended, at least for one year, there is no reason to propose its repeal now, and that question may be left open for another Session. As the Act is, after all, to remain in force—whether it be a vicious or a bad Act, as it is believed to be by hon. gentlemen on this side, or a good Act as it is professed to be by hon. gentlemen on the other side—it would be only just and fair that the proposition of my hon. friend for Bothwell (Mr. Mills) should be adopted. The Minister of Justice has not met the proposition of my hon. friend by a very strong argument. The only argument he brought was that such an amendment would discriminate between counties, that it would leave the law in force in some counties, perhaps contested counties, and would prevent it being in force in other counties where an election may also take place. The hon. gentleman argued that, though there was no possibility of elections at this moment, in certain counties there might be some. It is a

possible contingency, but a very remote one, while the contingency in the other case is a proximate one. It is therefore just and fair that, if there are counties where elections will take place, the law of the land should be applied, if, in the opinion of the Government, it is worth applying at all. If the Government have confidence in their law that the lists should be revised every year, they cannot deprive those electors of the benefit of the application of that law. The Government cannot have forgotten that, last year, one of the reasons given for the postponement of the election was that the lists should be prepared, and a new electorate called on to pronounce upon the policy of the Government. The same reason should apply here, and I would suggest to the hon. gentleman, in no unfriendly spirit, that he should accept the amendment of my hon. friend.

Mr. WATSON. As representing a county in which the election has been protested, and there is a chance of another election taking place before the end of twelve months, I hope the Minister of Justice may see fit to adopt the suggestion of the hon. member for Bothwell. As has been stated by previous speakers, there are many electors in different constituencies who are changing, and, unless the list is revised in the county of Marquette, a large number of the people in that county who are entitled to vote, will be deprived of their franchise in case of an election taking place before another revision. So far as I am personally concerned, I am opposed now, as I was when the Franchise Bill was under discussion, to having a Dominion list at all. Our local lists are more liberal than the present Dominion franchise. I do not find fault with the revising barrister in my county. He has acted very fairly, and I have no fault to find in that regard, but this Act, as well as other Acts, requires the people to be educated so as to understand the Act, and in the first revision of the lists a large number of the electors did not know what was necessary to be done in order to have their names placed on the list. Consequently, many who should have voted were not placed on the list. Now, they are educated to the fact that they were deprived of the right, and they have made application to have their names placed on the list at the revision which it was expected would take place during this month. It will be a great injustice to many of the residents in the county of Marquette who are qualified to vote, if we do not have a revision. At this late stage of the Session, when all members are anxious to get through the work of the House, I will not detain the House, but I do hope the Minister of Justice will agree, at least, to have a revision in those constituencies where there are protests against the sitting member. While I believe in the Government economising, I do not believe in their economising at the expense of the electorate. I think the electorate should have the fullest power accorded to them of expressing their will at the polls, and I hope that, ere long, as has been stated by the hon. member for Quebec (Mr. Laurier), the Government may see fit to withdraw this Bill altogether, and that, when it is necessary to have a list for Dominion purposes, it shall be based on manhood suffrage.

Mr. MITCHELL. I rise simply to make a suggestion in relation to this matter, because the Session is drawing to a close, and we have a great deal of business to get through to-night and to-morrow. Occupying the position of one who gave notice of an important amendment to the Franchise Act, to adopt the principle of manhood suffrage, I desire to say that I have made up my mind, owing to the lateness of the Session and the fact that no object can be accomplished by endeavoring to induce the Ministry to change their policy at this stage, to let the Ministry take the responsibility of passing the Act as it stands now, and so save the time of the House and let us get away to our homes. I was amused at the simplicity of the hon. member for Kent (Mr. Campbell), whose very admirable speech I

listened to with pleasure. I am sure that he will be an ornament to the House, but I can only ascribe his simplicity to his inexperience in dealing with the gentlemen who now sit on the Treasury benches. Why, he stated that if this list were revised, the probability was that he would get a thousand more votes. Did he suppose that the Ministry, did he suppose that the First Minister, who has got the advantage of having the control of a thousand votes in that constituency, would be simple enough to give away that privilege? Did he expect that from a Ministry which has seated in this House a gentleman who had a minority of votes? No, certainly not. So the discussion is useless, and I, therefore, give notice that I will not press my amendment for manhood suffrage, but, when the Bill comes up again, or early next Session at any rate, I shall make it my duty to press upon the House, as I did two years ago, when the Bill was under consideration, the necessity of simplifying the law by weeding out these fancy franchises, by removing these restrictions and conditions, and these numerous limitations, and adopting the simple plan of giving a vote to every man over twenty-one years of age who has paid the taxes. That is my idea of what ought to be the franchise in this country. I do not know that any suggestion I may make will have any effect with hon. gentlemen on this side of the House, but I think it would be well if they would allow the Government to take the responsibility of this measure to-night, and so to get on with the other business of the House.

Mr. MULOCK. I think the Minister of Justice ought to make one exception to the provisions of this Bill. It is well known that there is a gentleman occupying a seat in this House under very exceptional circumstances. I refer to the gentleman sitting for the county of Queen's, New Brunswick. When he offered his explanations to the House, he stated that he was dissatisfied with the revision of the list in his county, and that, as soon as those lists were properly revised, he would resign the seat he felt he was not entitled to occupy; and, if this Bill is made law in its present form, it gives this hon. gentleman an excuse for continuing to be—I will almost say, an intruder—a stranger in this House. The Government took the responsibility of confirming that gentleman in his seat. He said that he would resign when the lists were revised, and at that time he had reason to assume that the revision would take place in the ordinary course, that is, at the present time, and hon. gentlemen who supported the Government in their attitude on that question were, no doubt, influenced to some extent by the pledge which he gave that he would resign when the lists were revised, namely, during the present year. If the Government say that there shall be no revision, they relieve him from the responsibility of carrying out his promise, and, more than that, they continue to allow to exist what I think is a gross violation of everything that is right. If it were necessary to have a complete revision in the whole country for the sake of purging the House of a person who ought not to be here, I say let that purging take place, even if it is at some cost. There is nothing we ought to guard more carefully than the rights of the people, the only rights they have which distinguish them from bondsmen. But, if by this Act you again enforce the conduct of the returning officer for the county of Queen's, you do it at a great expense, and it will not cost much simply to have the Act in force this year for Queen's, N.B. It will not cost more than \$1,000, I presume, or \$2,000 at the most, and certainly the country would be willing to be relieved of the odium of having a stranger here representing a constituency for which he was not elected, at a cost of \$2,000. The Government have got themselves into this position by passing the Act in question. By the action they are taking now, they admit that the Act was bad and objectionable.

It has cost about half a million of dollars to put it into force for one year, and now that they have the House elected, they find that there was something in the protests of the Opposition. Disapproving as I did, and as I do, of the Act, I think the Government ought, at all events, to make an exception in regard to Queen's, New Brunswick. Further, I think the Government is guilty, in this proposition, of a departure from the recognised institutions of Canada. It has always been the custom to have annual revisions of the voters' lists, and now we are asked to do away with that, and to disfranchise a large number of electors, and to give the franchise to a number of people who ought not to have a vote. That is the consequence of this Act. I quite agree with the hon. member from Northumberland (Mr. Mitchell) that the proper solution is to do away with all he justly describes as fancy franchises, and let us come down to the theory of manhood suffrage.

Mr. WALDIE. The county I represent has claims to a revision of its franchise which, I think, should not be overlooked. There are in my county several villages that are water resorts, and among the inhabitants of those resorts some 150 names were added to the voters' lists under the present revision. I think those names were properly added, because they were residents there in the year 1885, but they have not been residents in the county since 1885, and to permit those who are only temporary residents to become permanent voters and to vote in 1887, or 1888, merely because no revision has taken place, would be very unfair and unjust. In addition to the 150 names in the village of Burlington and the town of Oakville, many other changes have taken place in the county of Halton, and the number at present qualified is fully 30 per cent. greater than it was when the present list was made. A larger number of young men have become of age, and unless the lists were revised again, they would be excluded from the privilege of voting in another election. Some of these young men were volunteers in the North-West, they have been serving their country and have come back into the county, and being now of age, they have a right to vote. I say it would be very unfair not to have a revision of the lists, if there should be another election. Although the expense is to be regretted, still the rights of those who are qualified to vote should be secured to them.

Mr. MALLORY. I wish to raise my voice in opposition to the Franchise Act, both as it now stands and as it is proposed to amend it. I have visited a large number of my constituents, and both Conservatives and Liberals are universally of opinion that the Franchise Act ought not to have been passed in the first place. It was exceedingly expensive, and it has been the occasion, according to a high authority, of producing in the witness box a class of oaths which ought not to be taken. In many cases we know perfectly well that parties who are desirous of getting their names on the voters' lists, have gone into the witness-box and made statements which are not in accordance with the facts. If we need an argument against the Franchise Act, we need not look further than the Bill, which the Government propose to the House to-night, to suspend its operations for a single year. Why are we asked to suspend the operations of this Act? Is it not virtually an acknowledgment that the Act is exceedingly expensive, more expensive, I venture to say, than the supporters of the Government in the House are willing to submit to? After having had some experience in the operation of this Act, I venture to say they are not willing to support the Government in continuing it in operation as it now stands, and I believe that force has been brought to bear on the Government by their own followers, either to repeal or suspend its operations. As regards my constituency, I don't think I have anything to gain or to lose by a revision of the list; but, independently of my own interest, I say it is unfair to a large

Mr. MULOCK.

number of men who, since the present revision was made, have become of age, or who have moved into the county and become property owners, tenants, or occupants. In case another election took place—and none of us can tell when an election may take place—it is unfair that these men who have a right to exercise the franchise, should be deprived of it. I think the proper course for the Government to pursue is not to amend the Act in the direction they propose to-night, but to extend the franchise, and to allow every young man who is 21 years of age, and a resident in the county for a proper length of time, to exercise the franchise whenever an occasion presents itself. I think if any argument is needed in favor of abolishing this Franchise Act, which was to be so inexpensive and such a boon to the electors, it is the fact that the Government are compelled, after it has been in operation one year, to propose to suspend its operation on account of its expensiveness.

Mr. McMULLEN. There has not been a proper revision of the lists in Centre Wellington for the simple reason that the gentleman charged with that duty took no interest in the revision, as there was no candidate in my county on the other side. The result is that there is a large number of qualified persons in Centre Wellington who were not put upon the lists at all. Now, if there were to be another election, it would be highly desirable that those who are qualified should be permitted to exercise the franchise. I hardly think that the Government would, at this moment, desire to prevent any person, who has the right, from exercising the franchise when an opportunity arises. I am sure that in my riding, there are two or three hundred whose names ought to be on the list, and would be on the list if there was a revision. I quite agree with the suggestion of the hon. member for Bothwell that where a protest has been entered, and where it is probable that an election may take place within a year, it is but just to the electors of that riding that every opportunity should be given them of putting their names upon the lists. I am not now speaking in my own interests at all, but in the interest of the people generally who have a right to vote.

Mr. CHOQUETTE. (Translation.) Mr. Speaker, while we are on this subject, I wish to call the attention of the Government on the qualification of the revising officer of the county of Montmagny. It seems to me that a man who, under the Election Law, cannot be returning officer, is still less qualified to act as revising officer, because this last mentioned official has judiciary powers, and powers which are much more extensive than those of a returning officer. Under the Election Law, chapter 8, section 7, a man who has been found guilty of corrupt practices has no right to be returning officer. Well, probably the Government are not aware of the facts connected with the revising officer of the county of Montmagny, and has appointed him at the request of a man who was interested in having him appointed, in order that he should put on the list names which have no right to be there, and that he should refuse to insert others who were perfectly qualified to be there. Now, I will refer the Government to the Judiciary Reports of Quebec, volume 9, page 84, where it is stated by the judges of the Superior Court, that Hubert Hébert, who is to-day revising officer for the county of Montmagny, was found guilty of corrupt practices in the controverted election case of Bernatchez and Fortin. Hubert Hébert was at the time an officer of the Government; he was agent at the St. Thomas Station of the Intercolonial Railway, and although he was an officer of the Government, he was busy canvassing during the whole time of the contest, and when the election was contested, in 1883, he was convicted of corrupt practices. I presume that the more a Government official meddles with politics and the more he works for his party, the better he is rewarded. It is what we have seen lately. When the Government passed the electoral franchise law, they has-

tened to appoint this Hubert Hébert, whom these judges of the Superior Court had declared guilty of corrupt practices, as revising officer for the county of Montmagny, and the Government by referring to the Judiciary Reports of Quebec will see the name of their revising officer, of their public official, branded as a corruptionist in the elections. And it is this man who has just been put at the head of a county, and in whose hands extraordinary judiciary powers have been vested. I am satisfied that the Government were not aware of these facts when they made this appointment, and that they have acted on the suggestion of a man, who, I repeat it, was interested in having Mr. Hébert appointed to prepare the voters' list. Now that the Government are in possession of these facts, now that they have before them the judgment of the court, now that they know that this public servant has not even the privilege of acting as returning officer, I have no doubt that the Government, for the honor of the county, for the honor of the Government themselves, will hasten to repeal this appointment, and, if necessary, to appoint another person to that office.

Motion agreed to; Bill read the second time, and House resolved itself into Committee.

(In the Committee.)

On section 1,

Mr. MILLS. I do not want to detain the committee by proposing amendments which the Minister of Justice will not accept. I would say further, however, that the oath taken by the voter requires amendment, and that can be done without adding to the expense or inconvenience. At the present time there are many persons who have gone to the United States whose names are on the voters' lists; some, indeed, have become naturalised as American citizens. They are no longer the subjects of Her Majesty, and under our law they are regarded as aliens and foreigners. But it would not be perjury for one of those parties to declare on oath that he was a natural-born subject of Her Majesty. We have all along the border counties people coming from Michigan and Ohio during the elections whose names are on the voters' lists, and who vote, although they have become naturalised citizens of the United States. I would suggest to the Minister that he amend the oath so that the party must declare that he is a natural born or a naturalised subject of Her Majesty and has not become a citizen or naturalised subject of any other state. That change would exclude a great many persons who should not be permitted to vote.

Mr. THOMPSON. I think it is not desirable to introduce such a change into a measure that is purely temporary. It will require to be very carefully considered, as a matter of policy, and it will be considered in the preparation of a measure to be brought down next Session. Such a declaration would disable from voting a great many persons who ought to be entitled to the franchise, persons who in early life left Canada and went to the United States and engaged in occupations there which required them to take the oath of allegiance, but who finally returned to the country of their natural allegiance, settled here and brought up families and owned property. It does not seem to me that those parties should be disqualified.

Mr. MILLS. Our law declares that such persons are aliens, and they are required to give notice and take the same proceedings as any other foreigners to become British subjects. That is the provision of the law as it stands.

Sir RICHARD CARTWRIGHT. There is another amendment in the same line which the hon. gentleman should introduce if the law is to be changed; we should return to the oath administered in 1882. If I understand the present oath correctly it has this effect: If you suspend the law for a year a very considerable number of persons

who are not intended to have the right to vote will vote; whereas, the old oath provided that the man taking it should swear that he was a resident within a certain time of the electoral district, which appears a reasonable and fair proposition. If the hon. gentleman would return to the oath of 1882 he would prevent a considerable number of irregularities which will undoubtedly take place otherwise.

Sir JOHN A. MACDONALD. In preparing a future measure the Minister of Justice will no doubt consider all these proposals, and will endeavor to meet the views of hon. gentleman as far as he can agree with them. Only a few months will elapse, and then we will meet in January, and the hon. Minister will have time to perfect the measure before the House meets.

Mr. MILLS. Within those few months, we may have had sixty elections. I think there has been that number of petitions filed, at least I have been so informed.

Sir JOHN A. MACDONALD. If there are to be sixty elections the hon. gentleman must remember that this Bill would not come into force until 1st November, and that most of the cases would be decided before then, that the writs must issue before November, and the elections must be on the present list, and so all his arguments in favor of the amendment amount to nothing.

Mr. MILLS (Bothwell). The hon. gentleman forgets what he did in the Bothwell case.

Mr. PATERSON (Brant). I have received a communication from a riding where it is possible there will be a contest. I am informed that the effect of postponing the revision of the lists for a year will be to deprive 600 men of the right to vote, and confer that right on 500 electors who should not possess that right. The Minister will remember that the present lists were made on the assessment of 1886, and if elections take place in 1888 they would be on the same lists. By that time the electorate might be almost entirely changed, and men would be voting who are not entitled to vote, and the reverse would be the case, and altogether the result would not be a satisfactory state of things. The committee are aware that I am in favor of sweeping away the Act; but while the Minister does not seem to be willing to repeal it, this may be a first step towards its repeal.

Bill reported.

Mr. THOMPSON moved the third reading of the Bill.

Mr. MILLS. I hope the hon. gentleman will allow it to stand till to-morrow

Sir JOHN A. MACDONALD. I hope the House will be in a position to prorogue to-morrow.

Sir RICHARD CARTWRIGHT. I think that is very unreasonable and quite impossible. We have got nearly one hundred items in the Estimates which have not been yet passed through Supply, and there is the whole of concurrence to be taken up. I do not see how we can possibly get through all that in time to prorogue.

Sir JOHN A. MACDONALD. If hon. gentlemen opposite will work as well as they did yesterday and the day before, I think we can do it. Of course, it is all the same to members of the Government whether they do or not; we have to be here in any case, but I know the vast majority of this House on both sides are exceedingly anxious to get away to-morrow, and I think with the assistance of hon. gentlemen opposite we can do so. Of course, without it we cannot.

Sir RICHARD CARTWRIGHT. I don't think it is possible.

Sir JOHN A. MACDONALD. I think, in the meantime, the hon. gentleman should allow the Bill to go to the Upper House.

Mr. JONES. No, no; to-morrow.

Sir JOHN A. MACDONALD. I move the third reading of the Bill.

An hon. MEMBER. I object to it.

Sir JOHN A. MACDONALD. You cannot object to it.

Mr. MILLS (Bothwell). I object to the third reading.

Sir RICHARD CARTWRIGHT. Taking two steps at the one sitting is not in accordance with the usual custom.

Sir JOHN A. MACDONALD. At the end of the Session it is continually done.

Sir RICHARD CARTWRIGHT. Only by universal consent.

Sir JOHN A. MACDONALD. The three steps can be taken on any Bill, if the majority of the House wishes. It is not a matter to which one member may object.

Mr. MITCHELL. I think my hon. friend (Mr. Mills) should let it go on, unless there is some special reason against it. We all want to get through the business, though it may be that our duties may call upon us to pursue a course, in the way of criticism and examination, which may prevent our proroguing to-morrow. I hope we may be able to do it, but if we find our duties require us to criticise particular items we must do it. Unless, however, there is some special reason I think the hon. gentleman should allow the Bill to go through.

Motion agreed to, and Bill read the third time and passed, on a division.

SECOND AND THIRD READINGS.

The following Bills were read the second time, considered in Committee, read the third time and passed:—

Bill (No. 153) to amend the Immigration Act.—(Mr. Carling.)

Bill (No. 154) to amend the Revised Statutes, chapter fifty one, respecting Real Property in the Territories.—(Mr. Thompson.)

THE INDIAN ACT.

Sir JOHN A. MACDONALD moved the second reading of Bill (No. 160) to amend the Indian Act (from the Senate).

Motion agreed to; Bill read the second time, and House resolved itself into Committee.

(In the Committee.)

On section 1,

Mr. PATERSON (Brant). What is the object of this?

Sir JOHN A. MACDONALD. At present the Indian agents practically decide the question who have and who have not a right to share in the distribution of the annuity money, subject to an appeal to the Superintendent General; and this clause gives a still further appeal to the Governor in Council.

Mr. PATERSON (Brant). I thought that this probably had reference to the question which was raised by the Mississaugas of the Credit, in reference to their participation in the interest of the money which was placed to their credit. Certain members of the band represent that it should go only to those who were members of the band, I think, in 1828, and that the others should be excluded.

Sir JOHN A. MACDONALD. That is another question, and it belongs to the questions which are dealt with gener-

Sir RICHARD CARTWRIGHT.

ally by the Superintendent General. This provision has reference only to individuals.

Mr. MILLS (Bothwell). The hon. gentleman will see that this Bill deals somewhat summarily with an important body of free and independent electors.

Sir JOHN A. MACDONALD. That has always been done.

Mr. MILLS (Bothwell). But they have recently become voters. When a man has the franchise he possesses considerable influence; and if these voters are to be at the mercy of the Superintendent General and of the Governor in Council, to judge what their rights are, they are in a somewhat different position from ordinary citizens who are supposed to be governed by the law of the land.

Sir JOHN A. MACDONALD. From the fact of their being electors, if they are wronged they can have their wrongs brought up in Parliament through the medium of their representative.

Mr. PATERSON (Brant). The hon. First Minister will remember that, last year, I expressed the hope that a solution of the dispute that had arisen among the Mississaugas would soon be arrived at. I understood that the difficulty was that there was no power in the Act to determine who were and who were not members of a band, and I presumed that this Bill was a movement to settle that dispute. I would like to know what shape that matter is in. Another point I want information on. There is a discrepancy between the report of the Indian Department and the report of the Auditor General with reference to the amount of the trust funds of that band. According to the former, there was a balance to the credit of the Mississaugas, on the 30th June, 1886, of \$186,906, while, according to the latter, the balance on the same date was \$114,251, a difference of over \$72,600. That requires explanation.

Sir JOHN A. MACDONALD. I will make a note of it, and will be able to give the hon. gentleman an answer as to the discrepancy to-morrow.

Mr. MILLS (Bothwell). I would ask for information with reference to the dispute that has arisen between the Chippewas and Munceys on the Caradoc reserve. The Munceys claim a portion of the territories that were originally reserved for the Chippewa Indians for their own use. The Munceys have been there, I think, since the beginning of this century. The Chippewas demand that the Munceys surrender to them a mile square, but the Munceys have added to their possession a much larger portion of the reserve than a mile square. Would the hon. gentleman have a right to consider that dispute, and give a decision upon it under this section?

Sir JOHN A. MACDONALD. Certainly not. The Muncey claim was fully and carefully reported upon by the Department of Justice. If the hon. gentleman is interested in seeing the report, I will get it for him.

Mr. MILLS (Bothwell). I will be very much obliged to the hon. gentleman if he will.

On section 2,

Sir JOHN A. MACDONALD. This is to give the Superintendent General and his officers the same power of examining witnesses on oath, respecting questions arising as to Indian lands, as the Minister of the Interior has with regard to Dominion lands. It is the same clause exactly as in the Dominion Lands Act, only it applies to Dominion lands.

On section 3,

Sir JOHN A. MACDONALD. This is repealing subsection 5 of section 26, because it gives the same powers as are given by sections 54 and 57.

On section 4,

Sir JOHN A. MACDONALD. This is to prevent the Indians on a reserve cutting valuable timber for fuel, which they are apt to do. That clause is required for Indians who are not so civilised as the electorate the hon. gentleman speaks about.

On section 5,

Sir JOHN A. MACDONALD. In some places, for instance in British Columbia, where the reserves are very small, a railway takes possession under the expropriation clause, and the Indians are deprived of the places they are accustomed to live on. It is no compensation to give them money or interest on any sum that may be found payable by the company. This is for the purpose of inviting the Government to see that the Indians be not removed unless another reserve be given them.

Mr. PATERSON (Brant). There is a railway projected from the city I live in, that will go through a reserve if the Indians are willing. The hon. gentleman has no objection to that.

Sir JOHN A. MACDONALD. Not the slightest.

On section 7,

Mr. PATERSON (Brant). This is giving a great deal more power to the officers than they have now. The old section required that the officer must have testimony supported by affidavit before acting. Now he has power to act peremptorily.

Sir JOHN A. MACDONALD. The present law provides that timber shall not be cut without authority on Indian lands or reserves. There is no difference between Indian lands or reserves.

On section 8,

Sir JOHN A. MACDONALD. This amendment is made in the interest of morality:

The Superintendent General may stop the payment of the annuity and interest money of, as well as deprive of any participation in the real property of the band, any Indian who is proved to the satisfaction of the Superintendent General guilty of deserting his family, and the Superintendent General may apply the same towards the support of any family, woman or child so deserted.

Mr. PATERSON (Brant). Does not this bring out very clearly the anomalous position in which we stand with reference to these people, that the head of the Government shall have the power, of his own motion, not only to stop the annuity and interest of a free and independent elector, but deprive him of participation in his real property.

Sir JOHN A. MACDONALD. My hon. friend and I will discuss that next Session, when we will have a hard fight on the Indian clauses of the Franchise Bill.

Bill reported, and read the third time and passed.

THREATS AND INTIMIDATION.

House resumed the adjourned debate on the proposed motion of Mr. Thompson for the second reading of Bill (No. 162), to amend the Revised Statutes, Chapter 173, respecting Threats, Intimidation and other Offences.

Mr. PERLEY (Ottawa). I will read, with the permission of the House, a communication I have received from the Capital Assembly of the Knights of Labor on this Bill:

"Sirs,—At a large and enthusiastic meeting of 'Capital Assembly,' Knights of Labor, of Ottawa, held last Saturday evening, 18th June, the following resolution was unanimously adopted:—'Resolved, that in the opinion of Capital Assembly, 5,222, Knights of Labor, of Ottawa, no necessity exists for the measure introduced by the Dominion Government on Friday last in the House of Commons, amending chapter 173, Revised Statutes of Canada, and enters its earnest protest against the passage of

the same into law, and that a copy of this resolution be forwarded to the Government as soon as possible.' In compliance with above instructions I take the earliest opportunity of forwarding you, as one of our representatives, a copy of the same, and would express the hope that when the Bill comes up in the House you will read it, whether the matter meets your approval or not.

"Yours respectfully,

"GEORGE GALE,

"Master Workman.

"OTTAWA, 21st June, 1887."

Mr. MCKAY. I have received the following telegram from the Knights of Labor Association, of the city of Hamilton:—

"We forward protest against the passage of the Bill at present before the House.

"JAMES KENNY,

"Secretary of Association."

Mr. RYKER. I have also a protest from the workmen, Knights of Labor, in the county of Lincoln and Welland:

"I wish to protest on behalf of the 25 Assemblies of Knights of Labor, in the counties of Lincoln and Welland, numbering nearly 4,000 wage earners, against the Government measure to be substituted for the Bill introduced by Mr. Amyot.

"ANDREW J. CARROLL,

"District Master Workman,

"Niagara District Assembly."

Mr. WILSON (Elgin). I have also a telegram stating that the individuals telegraphed Sir John (I suppose that is Sir John A. Macdonald, the Premier), and I have no doubt he has the telegram in his possession:

"Telegraphed Sir John protesting before yours received.

"THOS. E. KILROY."

This is dated Windsor.

Sir JOHN A. MACDONALD. Yes, I received a telegram from Mr. Kilroy, but I understand that the Knights of Labor had Mr. Amyot's Bill before them, and that all their protests are against what they call the oppressive clauses in that Bill.

Motion agreed to; Bill read the second time, and House resolved itself into Committee.

(In the Committee.)

On section 1,

Mr. THOMPSON. moved to add at the end of the eighth line after the word "threats" the words "of violence;" to strike out the words "or any other means" in the ninth line; and to add in the sixteenth line after the word "threat" the words "of violence."

Mr. WILSON (Elgin). The Minister of Justice has not, up to the present, offered us any sufficiently valid reason why this Bill has been brought before the House at this time. If there had been any great grievance existing in any part of the Dominion, and necessity had been shown for a Bill of this nature, I think we should have had before this petitions asking for an alteration in the existing law; but, up to the present time, we have had no such petitions, no representations from any individuals, or number of individuals, that the law as it existed upon the Statute-book was not sufficient to accomplish all the purposes designed by this Act. Therefore, without any petitions, without any agitation expressive of a desire that the Act should be changed, I think it is premature for the Minister of Justice, at the last moment of the Session, without giving an opportunity to the different sections of the country to be heard from, to bring this Bill before us. We have had an illustration that the country was not aware of the nature of this Bill, because, though it may be in some particulars different from the Bill which was introduced by the private member, yet, in substance and in fact the various organisations which petitioned against the other Bill are equally opposed to this Bill. It is true that

the Minister of Justice introduced some amendments, but I ask what is the necessity for this Bill? Has there been any failure of the present law? Have the authorities where there has been any violation of the law, attempted to put the law into force, and have they found that it was not sufficient to punish those who violated it? I am not aware that there has been any attempts on the part of the authorities to enforce the law against wrong-doers, when the law has been found to be effective in any particular. The present law is quite sufficient to punish wrong-doers. These various organisations do not wish to have a law to shield them from just punishment when they violate the law, but they reasonably say that, as long as that law has not proved to be abortive in any respect, and that wrong-doers can be punished under that law if it is put in motion, this legislation is virtually a direct insult to the various combinations or organisations throughout Canada. In view of the fact that the Minister has not shown wherein the law has failed, I ask if it is reasonable that these people should have reflections thrown upon them, that the slur should be cast upon them that it is necessary to legislate in this matter. I feel that it is wrong in principle, even if the measure is not more restrictive than the one now on the Statute-book, that there should be an attempt on the part of this House to place on the Statute book a direct insult to these organisations. In view of the state of the Session, I think the Bill should remain over. Let the authorities try to enforce the law as it is now. The First Minister is very ready to say that there are only a few months before the House will meet again, and no great wrong can exist during that short period. He makes that appeal to the House, and I make this appeal. After a few months, you will have the opportunity of seeing whether the law will work efficiently, the authorities can put the law in force, and, if they find, after bringing the full power of the law to bear against those who are doing wrong, that it is not sufficient, then you can come a few months hence and introduce a law, and give all parties an opportunity to be heard and to represent their case fairly and justly before the House. This is only a matter of equal justice and equal rights to all. Why should you attempt to catch a verdict against these people at this time? It is not in the best interests of the country that legislation of this kind should be brought forward at this period of the Session, when no necessity has been shown for any change of the law. There has not been an attempt to put the law in force, and it has not been found to be deficient and incapable of being executed. I am, therefore, opposed to the Bill.

Mr. AMYOT. The hon. gentleman who has just sat down (Mr. Wilson), wants equal rights for all. Doubtless he knows the state of the harbor of Quebec, and has seen in the newspapers reports of what is going on there. If equal liberty to all means liberty to a certain society to prevent all others from working, I am certainly not in favor of that liberty. I understand that equal liberty to all means the liberty of every one to do what is right. Working at a ship is a thing that is right, and when you prevent citizens from working at a ship you do what is wrong, and you take away the liberty of others under a false pretext of liberty for yourself. The hon. gentleman says that no petition has come up for this measure. Well, Sir, when last year we passed a number of criminal Acts, did we ever see one petition in favor of them? Not that I am aware of. The hon. gentleman says he has received telegrams from the Knights of Labor. Does he mean to say that this Bill is aimed against the Knights of Labor? Does he mean to say that there is a party in this House who are more friendly to the Knights of Labor than to other classes? Are we not all friends of the workingmen? Are we not all friends of the prosperity of all classes of society? I am as great a friend of workingmen as any one, but I am a friend
Mr. WILSON (Elgin).

also of the people at large, and when I see a certain society taking illegal measures to prevent others from working, I say it is something we should put a stop to. As long as the Knights of Labor keep within the bounds of justice, and of the law, they will be protected, and they will find friends everywhere. I am not against the Knights of Labor, but I say that, in Quebec, the ship laborers, or some 60 of them, were incorporated under pretence of being a mutual benefit society. Now that they have got the subscriptions of a large class of people and have become powerful, they have passed by-laws imposing a high tariff on ship captains, and the captain has no right to move his ship an inch without paying them enormous wages. He is bound to employ a certain number of men, and if he does not submit his cargo is ruined. The ship laborers are there, they do not kill people, but they gather by hundreds on the wharf, and those who dare to go to work against their will, know what is likely to befall them that evening, or the next day, when they happen to be alone or when darkness overtakes them. There has been no petition, it is true, but I may say for the information of the House, that when I had the honor of presenting the first Bill, which was much more stringent than this one, I received a telegram from the Quebec Board of Trade, among whom are some political friends of the hon. gentleman. I will read the telegram:

"At a meeting of the Council of the Quebec Board of Trade held this morning, it was unanimously resolved to approve entirely of the draft of the Bill now before the House of Commons, introduced by Col. G. Amyot, member for the county of Bellechasse, and entitled: 'An Act to protect work on Board of Vessels'; and I have been authorised on behalf of the Board of Trade to ask you to cause to be added to the Bill in question, sections Nos. 114, 115, of chapter 71 of the Revised Statutes of Canada, 1886; as we strongly believe that in dealing with offenders in a summary manner, it will put a stop to the great injuries the trade of this city has suffered for a number of years past. Your strong influence in favor of the above suggestions will much oblige,

"Yours truly,

"T. LEDROIT,

"President.

"Certified,

"F. H. ANDREWS,

"Secretary."

It is a well known fact that some years ago the harbor of Quebec was visited by hundreds and hundreds of ships, and it is a well known fact that the conduct of the ship laborers has driven away the shipping from Quebec. Not only do ships avoid Quebec, but many ships do not come to Canada at all now, on account of the difficulty caused by the ship laborers of Quebec, and this has given a bad reputation to the city and to the whole country abroad. We must put a stop to this at once. To-day, the merchants of Quebec importing goods from Europe are obliged to unload them at Montreal, and to bring them back to Quebec by railway or in small boats. Mr. Fitch, who has a large establishment at St. Romuald, near Quebec, has been informed by the large ship-owners that they will no longer load his matches in Quebec harbor, and he has to send them to Montreal to be shipped from there to Europe. The fact is, Mr. Chairman, there is no more shipping at Quebec, so to speak. The trade all goes elsewhere, because the ship laborers wish to earn a month's wages in two or three days' time, working eight or nine hours a day. Commerce is not able to support that charge. The ship laborers are organised; they have got funds and physical force; and yet we are asked in the name of liberty to sustain them when they try to prevent other men from working for reasonable wages. The ship laborers gather on the wharf and intimidate and prevent other men from working, and that is what we call liberty for all! Equal rights for all! I say no; I say it is a use of illegal means to restrict the liberties of others. If the hon. gentlemen represented authoritatively the Liberal party, if he was speaking in the name of the Liberal party, I would say to

him: the name of your party is a fraud, because liberalism I take to mean liberty. But here you take away the liberty of a whole people for the benefit of a few who have incorporated themselves into a society under the false pretence of benevolent purposes. The actual law is insufficient, it does not deal with threats. It only speaks of those who are working at ships, who are usually employed; it excludes all those who do not usually work. The ship laborers have organised themselves into a society. A ship comes in, and is to be loaded or unloaded. If the ship laborers ask too much, the captain or ship owner applies to some other workmen, who are willing to do the work. The actual law will not protect that class who don't usually work. I am sorry the Government has consented to take away the words, "or other means," because even amongst those who belong to the ship laborers' society, some would like to work in spite of their by-laws if they could. If to-day this society passes a by-law, saying: If you work you will lose your share in this society, or you will be expelled from the society, or you will be obliged to pay such and such a fine—in that case the words "other means" would reach these classes. But as the Government has decided to take away those words, I will not insist. The present Bill is a step in the right direction. At present, although the ship laborers may not strike a blow, they are there exercising no less an intimidation by silence, if I may so speak, so that nobody dares to go to work. But when the offence is more clearly defined, other men will dare to go to work. If you say that there are no petitions in favor of this Bill, I would remind you that we have in this House the Mayor of Quebec, who is in a position to tell you that the Bill is needed in the interests of that harbor. I suppose if those occurrences happen in other harbors, members representing those cities would be very happy to find on the Statute-book a law dealing with those offences. Some years ago we had Quebec crimps, who went on board ships and stole seamen. A stringent law was passed, at the suggestion of the hon. member for Northumberland (Mr. Mitchell), under which such offenders were liable to be sent to the penitentiary. What was the consequence? Two offenders were sent to the penitentiary, and since then there has been no crimping. If we had a stringent law dealing with these organisations, which are the ruin of society and the shame of this century, there would be liberty for labor for every class. It has been said that this would be a stigma on our society. I heard an hon. member the other day make that statement. Surely that was a mere farce. We have laws against stealing, murder and crimes of different kinds, and these do not cast a stigma on society, and the proposed law would not cast a stigma. The law is absolutely required for the city of Quebec. It may be required at any given moment for any other city. Its effects will be simply this: It will be a safeguard for the liberty of labor among every other class; it will stop the disposition manifested to prevent liberty of labor; it will give the city of Quebec a chance of obtaining a share of commerce, and it will remove the bad reputation, which I am sorry to say, the ship laborers of Quebec have obtained for the country.

Mr. BURDETT. I am no friend of coercion either in the shape of capital or labor. I think all just and legal means ought to be adopted to prevent unlawful combinations and illegal acts on either side. But I submit that this Bill should be amended so as to permit the party accused to be tried by a jury, if he desires. In any event, it should be provided that the trial should be before a police magistrate or police commissioner, if there be such in the vicinity, instead of being before two justices of the peace. While I am not speaking against the integrity of justices of the peace, they often may be directly or indirectly interested, and they are not always capable of judging as to the distinction between ori-

ginal intent and lawful or unlawful acts, however honest their intention may be to acquit or convict, in case of innocence or guilt. I, therefore, suggest an amendment in that direction. I, moreover, suggest permitting the option of a fine instead of imprisonment in every case. It is pretty well known that where combinations exist, in many instances innocent or almost innocent persons have been led into the maelstrom of illegal combinations, even women and children have been led in that direction. Although convicted and found guilty of an offence in the eyes of the law, they ought not, in many instances, be sent to prison, and have that stigma cast upon them for life. I respectfully submit the proposition that the trial be by jury, if the party so elects, or, at all events, that it be before a police magistrate or commissioner, and that there should be the option of imposing a fine instead of imprisonment.

Mr. WELSH. I approve of the Bill. I think it will be for the benefit of ship owners, and it will only take effect in the case of those who violate the law. Combinations are very dangerous in any port, and they tend very much to injure its trade and commerce. A few years ago there was a combination in Montreal of the towing service. I happened to have two ships going up there that month, and the towage bills amounted to \$2,000 odd. A month or so afterwards the price fell. But this shows that combinations, if not regulated properly, tend to retard the progress of a port, and prevent ship owners from sending their vessels there. It would be well to pass this Bill, for it only applies in cases where a man commits a criminal violation of the law and tramples on the rights of others. I am not opposed to any combination for the benefit of laborers or anything of that kind, but when they take the law into their own hands, and force their own opinions on others to the injury of the ports and the public, it is time to have a law passed to deal with such cases. I will support the present Bill.

Mr. MITCHELL. I do not view this as a Bill hostile to any labor organisation. If I thought it covered any special legislation against the labor organisation or capital organisation I would be no party to the passing of the Bill. But I have had some experience in regard to the very subject in respect of which this Bill is proposed to meet the difficulty. I recollect fifteen or sixteen years ago, when I held the responsible position of Minister, and had to deal with this question, that an intolerable nuisance existed in Quebec. The crimping system had become so bad that the ordinary methods of law were completely paralysed. There were laws to prevent persons from interfering with others who wanted to labor, laws to prevent crimps coming on board ship, but when they were arrested and taken before a magistrate in nine cases out of ten they were acquitted. It was necessary to do something, for affairs had got into such a state that crimps actually went on board a ship and forced men to desert and dragged them on shore, and a man was shot who refused to desert; and, therefore, extraordinary steps had to be taken to put an end to this lawlessness. I introduced the Bill, which stands on the Statute-book to-day, and it was not in force more than twelve months when not a single crimp was to be found in St. Peter street or Mountain street in Quebec. It completely removed the difficulty. When you meet with lawlessness you must take extraordinary means to cure the evil, and I agree with the hon. member near me (Mr. Burdett) in regard to giving police magistrates in Quebec power, either with or without the conjunction of the two magistrates, to deal with such offences and without appeal. The law at present on the Statute-book is found to be defective, inasmuch as if the people are not customary laborers at the work, the intimidation is no offence. The object of passing this law was to prevent intimidation against any one, and this defect being discovered, it should be remedied, no matter what may be the prejudices of the Ship

Laborers Society or the Knights of Labor or any other organisation. I entirely agree with the suggestion to strike these words out of the Bill, and, if it is desirable, to give the magistrate of Quebec jurisdiction to deal with these cases without appeal.

Mr. THOMPSON. I wish to say one word of explanation which may be useful in regard to the suggestion made by the hon. member for Hastings (Mr. Bardett). He thought that this power should be exercised by police magistrates and stipendiary magistrates. It will be seen by section 10, chapter 178, of the Revised Statutes—the Summary Convictions Act—that all powers which are conferred in any portion of the Statutes on two justices of the peace, may be exercised by any judge of the sessions, recorder, police magistrate, district magistrate or stipendiary magistrate, so that the hon. gentleman's suggestion is already complied with. As regards petitions on this subject, I agree with hon. gentleman that they are not called for or necessary. We are continually amending provisions of our Statutes in any respect in which we find them to be technically defective, and we are doing nothing more in this case. We are not increasing the stringency of the law, or adding new penalties, or changing the proceedings, but we are simply saying that the will of the Legislature, as plainly expressed, shall not be defeated by words—accidentally inserted I presume—which are entirely inapplicable to the conditions with which the Legislature was dealing. As to this being a slur on any labor organisation, it seems to me, if I may say so without offence, that the slur against the labor organisations is on the part of those hon. gentlemen who contend that the labor organisations are combined for the purpose of committing these offences.

Mr. MITCHELL. The hon. gentleman does not refer to me?

Mr. THOMPSON. Not at all. If they are not combined for those purposes, the Bill does not apply to them. I may say to the hon. member for Elgin (Mr. Wilson), that the delegates of these labor organisations which have met me—and I have seen delegates from Toronto, Montreal, Quebec and St. Catharines—have distinctly declared, every one of them, that they have no sympathy with the persons who commit those offences; that their organisations are not formed for the purpose of enabling such offences to be committed, and that persons who commit those offences, whether members of those organisations or not, are working entirely out of the scope of such organisations; and, therefore, the delegates who met me, and who, I am sure, represent the labor societies as fully as any gentleman in this House can, distinctly repudiate that this is a slur against them, or that this legislation would affect them as labor societies. I may say further, that I met a delegation from the Ship Laborers Society of the city of Quebec, who are more immediately affected, it is said, by this legislation. They were represented by their legal counsel, a gentleman of eminence in the city of Quebec, and he discussed the features of this Bill with me, and agreed entirely with me that, even as originally introduced, the words "threats or any other means" was qualified by the word "unlawfully," but urged upon me, inasmuch as the law had to be administered by magistrates, that it would be well to have no doubt as to the true meaning and interpretation of the Act, and he said, in the presence of a large number of members of the society, that if the words "of violence," and the words "any other means" were struck out, the Bill would be entirely acceptable to them. Now, that is the very class of persons who, it is said by hon. gentlemen opposite, would be aimed at by this Bill, but if their own solicitor says that they have no sympathy with the persons committing these offences, and if the amendment removes all objections, it seems to me that the observations as regards the casting of a slur upon any organisation whatsoever, are uncalled for.

Mr. MITCHELL.

Mr. CAMPBELL (Kent). I think the observations of the hon. Minister of Justice, as regards the Knights of Labor, are very true. I do not think there is any class of the community who would sympathise so little—or have any sympathy at all—with the unfortunate state of affairs that appears to exist in the city of Quebec, as the Knights of Labor. It is against their platform altogether, and they have no sympathy with such conduct. In the city of Toronto at present, although there are about 1,200 men out on strike, we do not find that there is a single act of violence mentioned, and the state of affairs there redounds very much to the credit of the Knights of Labor. I consider, however, that it is wrong to introduce this Bill at almost the last hour of the Session. We have been sitting here since the 13th of March, and a Bill of this importance, affecting as it does a large number of the people of Canada, should not be introduced and pressed on the House at so late a period of the Session. It may be, after the representations which have been made by the hon. member for Bellechasse (Mr. Amyot) as to the state of affairs which is existing in Quebec, that such a Bill is necessary, but what the Knights of Labor object to is that the Bill should be passed though the House in the last days of the Session, without time to consider the merits of the case. We can readily understand how that body should be very sensitive about any legislation which is affecting their rights. One hon. gentleman has stated that these combinations are a bad thing. I do not think so. They are the only way the mechanics and laborers of this country have of elevating themselves, and they have done more, by the orders and associations which have existed amongst them, to elevate their moral and religious standing, than anything else which has taken place. We have combinations amongst manufacturers, we have the Manufacturers' Association, we have oil rings and stoves rings and iron rings, and all kinds of rings, and these are all right enough in the estimation of some hon. gentlemen. The Government of the day are taking every means in their power to protect wealthy manufacturers; they are protecting the iron manufacturers; they are protecting the coal mines of Nova Scotia by over \$100,000, and carrying their coal for nothing. But here is a measure affecting the rights and interests of the working class of the community, and it is introduced at the last day, and almost the last hour, of the Session. Such a Bill may be necessary but it should be delayed until next Session, or should have been introduced earlier in the Session, so as to have given the labor organisations throughout the country an opportunity of discussing it, and expressing their opinion upon it. Why, Sir, it is only some 48 hours since this Bill was introduced.

Mr. THOMPSON. It was introduced five days ago.

Mr. CAMPBELL (Kent). And now the hon. gentleman wants to press it through the House at race horse speed, although we have telegrams from large and respectable bodies of people in Toronto, Hamilton, St. Catharines, Windsor and other places, asking that the Bill shall be delayed until they have time to investigate it and express themselves upon it. I think the Minister of Justice should delay the Bill till next Session, and if it is then found to be in the interest of the people I am sure there is no class who will favor its passage so much as the Knights of Labor. They are opposed to all such disloyal means, and such a state of affairs as are represented to exist in Quebec, and I hope the Minister of Justice will, in deference to the representations made by a large number of assemblies, consent not to press the Bill at this late stage of the Session.

Mr. WILSON (Elgin). I regret exceedingly that the Government feel that it is their duty to force this Bill through at the present time. I did not intend to convey, nor did I convey, in the remarks I made, that the various labor organisations in any way desired to violate the law

or enter into a combination to do a wrong or injustice to any class of the community, as they are a law-abiding class. I said that this law was proposed purposely to prevent the labor organisations from enjoying the right to protect their labor, and the Minister of Justice represented me as stating that I regarded this Bill as a reflection upon them. I do say so. It is directed against all labor organisations, and it implies that it is necessary that the strong arm of the law should be used to restrain those organisations from exercising what they regard as their rights and privileges. As for any wrongs being done in Quebec to parties who desire to labor on vessels, I think I have shown that those abuses have not been increasing to any extent. It is true it has been stated that there are telegrams from the mayor and other parties in Quebec asking for this legislation. It may be that they consider it in their interest that such legislation should take place. I believe they state that for some cause or other the shipping is leaving Quebec and going to Montreal, and it may be that they attribute this to the high wages which they have to pay for loading and unloading vessels there. I do not think, if they enquire into the facts, that they will find this to be the case, but they will probably find other causes for the impairment of the trade of Quebec. I do not think my hon. friend from Bellechasse (Mr. Amyot) should be quite so warm against me on this subject. He said that if I represented the Reform party, he did not believe in the principles of that party. I do not represent any but my own views, and I do not ask my hon. friend to accept them. I think my views are, perhaps, too liberal for so recent a convert. But while I deny that there is any intent on the part of the various labor organisations in any way to violate the law or interfere with the rights of other people, they hold sacred and dear the rights they possess, and they desire that the same laws should be meted out to them as are meted out to other classes, and that is all they ask. They ask no more, and they are not content with any loss. My hon. friend says we often pass Bills that have not been petitioned for. Is the discovery of the difficulty in Quebec so recent that they did not know of it until a few days ago? Did they make no representations to the Government of that difficulty previous to the introduction of this Bill a week or two ago? I say that this is too short a time in which to pass legislation of this kind, affecting, more or less, all of the labor organisations from one end of the Dominion to the other. It is possible that, if hon. gentlemen enquired into the expenses of loading and unloading vessels in Quebec, they might find that the work was done more cheaply there than at Montreal. I am told that such is the case. With reference to the statement of the Minister of Justice that the various labor organisations had an interview with him, and expressed themselves through their legal advisers as perfectly satisfied with this Bill, I ask why are the delegates still here protesting against it?

Mr. THOMPSON. The hon. gentleman misunderstood me. I said it was the Ship Laborers Society of Quebec who had counsel.

Mr. WILSON (Elgin). I had an interview to-day with one of the members of the Ship Laborers Society of Quebec, and he strongly opposes such legislation as this. I also had interviews with delegates from the various labor organisations who protest against the passage of the Bill. But they say if the Bill must pass, let it be amended so that it may bear upon us as lightly as possible. Then, how can they be satisfied with the passage of this Bill? Has there been any petition from them asking for it? On the contrary, we have had petitions presented from every part of this Chamber against its passage. If the Government believe that the interests of society require such coercive legislation, and are willing to assume the responsibility of it, all I can say is

that I have done my duty in protesting against it in the interest of a class who I think are, perhaps, not sufficiently represented in the House—an upright, honest class, who do not wish any legislation that would in any way have the effect of legalising any wrong doing, but, on the contrary, are desirous of obeying all the laws on the Statute book, and for that reason are anxious that our laws may be made to bear evenly upon all classes, so that all classes may be placed in a position of equality under the law.

Bill reported.

Mr. THOMPSON moved the third reading of the Bill.

Mr. WILSON. It would be better this Bill should stand over until to-morrow, and give the delegates an opportunity of seeing whether they cannot make representations or offer amendments to the Bill.

Motion agreed to, and Bill read the third time and passed, on a division.

COUNCIL OF THE NORTH-WEST TERRITORIES.

Sir JOHN A. MACDONALD moved the second reading of Bill (No. 163) respecting the Council of the North-West Territories.

Motion agreed to; Bill read the second time, and considered in Committee.

Sir JOHN A. MACDONALD moved the third reading of the Bill.

Mr. MILLS (Bothwell). I regret very much that the hon. gentleman has found it necessary to adopt legislation of this sort. We have had nothing like this in the Empire since the time of Queen Anne, when the triennial Parliament extended its own life for a period of four years longer. The hon. gentleman proposes to continue the existence of a body elected for two years for a period of three years. The Government are greatly to blame for not having taken this subject into consideration, and provided a Bill to meet the difficulty at the beginning of the Session; and I think the hon. gentlemen from the Territories, who have proposed so many Bills and proclaimed the importance of their measures, should have brought this subject to the attention of the House at the beginning of the Session. Had the Government proposed to give the people of the North-West proper representation in the Council, it would not have been necessary to take the unusual course of extending this Council's term of existence.

Sir JOHN A. MACDONALD. The hon. gentlemen elected for the North-West Territories will receive with humble submission the chastisement the hon. gentleman has given them, and will be better boys next time. The hon. gentleman says that never since the time of Queen Anne, when the Parliament extended its existence from three to seven years, has a proceeding similar to this taken place, but the hon. gentleman will remember that the action of the triennial Parliament saved the country. The term of the North-West Council is extended not for a year, but to the end of the next Session, and this will save the North-West a very great deal of inconvenience, and I have no doubt it will be generally acceptable to the North-West.

Mr. MILLS (Bothwell). The hon. gentleman might, without much inconvenience, in a more constitutional way, have done his duty.

Motion agreed to, and Bill read the third time and passed, on a division.

SUPPLY—IMPRISONMENT FOR LIBEL.

Sir CHARLES TUPPER moved that the House again resolve into Committee of Supply.

Mr. MILLS (Bothwell). Before that motion is put, I beg to say that it has been brought to my notice that an important trial took place in the city of Quebec, of Mr. Maguire, for maliciously libelling one of the members of the House of Commons. He was convicted of the offence, and fined by the judge and sentenced to six months' imprisonment. It is also stated that the Minister of Justice has recommended His Excellency the Governor General to exercise the prerogative of the Crown on Mr. Maguire's behalf, and to discharge him from imprisonment. That is a matter of such importance that the hon. the Minister of Justice ought to inform the House whether he has received from the judge who sat in that trial a report of the proceedings, and whether the request, the recommendation he made, to His Excellency was one of which the judge approved. This is the proper and legitimate time for making an enquiry of this sort into what seems to me to be an interference with the civil administration of justice.

Mr. THOMPSON. I do not question the propriety of the hon. member's course in making the enquiry at this stage, but I must express the regret that he did not give me intimation he intended making such enquiry, because I would have had the papers, and given him more full information than I can from memory. It is a fact that, in the case of Maguire, application was made three or four weeks ago for his release by a petition which alleged various grounds. Among others it was stated that his state of health was such that he was unable to endure the confinement, and that his life was in danger, and the petition was accompanied by a medical certificate to that effect, signed either by his usual medical attendant or by a practitioner called upon by himself to make an examination. I declined, in accordance with the usual practice, to act on such certificate or representation, and made the ordinary presentation to the judge who tried the case, and the surgeon of the gaol for a report of the trial, and an official report of the surgeon as to Mr. Maguire's health. These reports were received a very short time before his release. The report of the judge stated the various circumstances connected with the trial, and indicated that, as far as the merits of the case were concerned, he remained of the opinion that his sentence was not an improper one, as regards severity, but he stated, in view of the circumstances mentioned in the petition and the certificate in regard to health, that the health of the prisoner was a circumstance he had not considered in passing the sentence, and one which he thought it would be right for the executive to consider, or which he left for the executive to consider. I forget the exact words, but I am stating the substance. The certificate from the surgeon of the gaol indicated that the prisoner was suffering from a disease which can probably have only a fatal termination, and that a further confinement would have the result of shortening his days. The ordinary principles which governed us in regard to advising the executive interference in such cases, seemed to me to justify the action which we took upon the certificates, and it was upon that alone that I advised the exercise of the executive clemency.

Mr. LAURIER. Under the circumstances, as disclosed at this time, there is no occasion as far as I can see, for me to either approve or blame the action of the hon. Minister, but I think he has been imposed upon, for I am informed that Mr. Maguire is in this city now, and is in good health.

Mr. LANGELIER (Quebec). I saw him here this afternoon.

Mr. LAURIER. I am not disposed to criticise the action of the Minister, but I think the hon. gentleman would meet the wishes of the House by laying the papers before us at an early day.

Sir CHARLES TUPPER.

THE 9TH BATTALION.

Mr. AMYOT. I am sorry to have to take a few minutes of the time of the House, but I am afraid it will be the last opportunity I shall have this year. I would not do it if only myself were concerned, but a certain report to which I am going to allude, contains an account which is unfair and unjust, and which reflects upon the officers of a battalion which did its duty the best way it could in the North-West. I refer to a report of the Department of Militia and Defence, Appendix No. 4. In that there is an account dated 27th September, 1886. You will remember, Mr. Speaker, that we came back from the North-West in July, 1885, so that more than a year had elapsed. This account shows that the battalion would be indebted to the Government in the large amount of \$1,571.42. In a few words, and in a few minutes, I hope to demonstrate that this account is simply fancy, and that, perhaps, there is not one word of truth in it, and that it was the most unjust and *ex parte* piece of business that could be brought before a Parliament. First of all, the paymaster, Major Guy, says he warned the paymaster of the 9th Battalion that the rations could not be drawn in kind. It is proved on oath that the paymaster of the 9th does not know a word of English, and, as the paymaster in question, Major Guy, does not know a word of French, and there was no translator, it is hard to understand how the warning was given. Three witnesses proved in court that Lieut. Col. Lamontagne told Major Dugal that the officers were allowed to draw their rations in kind. The report says:

"The corps was overpaid on account of rations, forage, &c., at Quebec for the month of July by Lampson, in September, 1885."

And the account charges the officers of the 9th with that amount paid in the month of August or September, and calls upon them to refund it. Here is the official letter of the Department:

"QUEBEC, 31st August, 1885.

"Sir,—I beg to inform you that, according to instructions received from the Deputy Minister of Militia, the 9th Battalion are entitled to draw field allowance and rations to the 21st July; from that to the end of July, net pay only; no men to be included for pay who were not with the corps in the North-West. The claim of \$3 per company for books has been disallowed.

"I r. main,

"Your obedient servant,

"FREDK. LAMPSON,

"Major."

That is addressed to Lieut. Col. Amyot. Nearly a year after that, after having paid that amount according to orders from Ottawa, Major Guy, *ex parte*, without consulting us at all, prepares and files a report in the office condemning us to refund those amounts, and this is published under the responsibility and under the signature of the head officer of the Department as a just thing to do against the 9th Battalion.

Mr. PERLEY (Assiniboia). They ought to disband them altogether.

Mr. AMYOT. Do I hear the word "dispense"? You did not dispense with our services when we went to the North-West. Perhaps the hon. gentleman was glad to see us there. In this account Col. Evanturel is charged with a saddle and bridle, not accounted for, and one set of driving harness. It is known by the Department, and it is known, or should be known, by the hon. the Minister of Militia, that these articles have been returned, that the harness was left at Calgary, and that this is a false charge against Col. Evanturel. He knows, or he should know, that the saddle is in the armory at Quebec, and he knows, or he should know, that this account is false. If you take Col. Amyot's account, you find one Mexican saddle and bridle charged against him and not accounted for. The Minister knows, or he should know, that, in September or October, 1885, that Mexican saddle was

duly returned at the arsenal, that the receipt was given, and yet, nearly two years after that, under his own signature, he pretends before the country that Col. Amyot has got that saddle. It is a false report. The report is honored with the signature of a great man, I admit, but, whatever may be the dignity of the signature, it does not give the right to state a thing which is false, to charge the colonel of the 9th Battalion with actions which he has not committed, to say that he is in possession of a saddle when the hon. gentleman knows, or should know, that it is not the case. He produces that account more than a year after, he charges me with that when these things have been returned nearly two years ago, and he does this at the end of this Session, hoping, I suppose, that I would not see it, and that he would leave the country for another year under the impression that the colonel of the 9th was acting improperly. This is not fair. This is not just. This is not the recompense that a battalion which has done its duty, as the hon. gentleman has admitted in this House, while engaged in the operations of war, should expect for its services. This account speaks of a Capt. Perreault. I never had such a man in my battalion at any time. On page 49 I find :

"This officer being the quartermaster is specially responsible, through his commanding officer, for the rations and forage issued by McGibbon to him at Calgary for the use of the battalion returning east, and these are not accounted for in any way."

Mr. Speaker, this is false. There were never any such rations given to us. Further on, we are charged with a car load of provisions. That is false. We never received any such thing. When we left Calgary, Major McGibbon gave us an officer called a supply officer, who furnished us with meals while going down to Winnipeg. If a car load of provisions was given to us, we did not know it. We do not know what became of it. But to put in a report a charge that we received a car load of provisions and did not account for it, is unfair and unjust. It is an official—I will not say the word lie, because it is not parliamentary; but give it the name you please: it is a false charge. Col. Roy is charged with a saddle and bridle. I am sure the Ministers generally of the Cabinet do not know the persecution to which we are subjected by one of their number, but the Minister of Militia should know that Col. Roy long ago returned that bridle. I would only give one or two items to show the House how the accounts are made in that Department. They speak here of a Lieut. D. W. Morris. There is no such man in my battalion. Capt. Ponny is charged with the same accounts as the other captains, though he was in the North-West only half the time of the expedition. It shows with what accuracy Major Guy has prepared the report. He begins by saying that no accounts were signed, or something to that effect. Why, Mr. Speaker, the accounts were signed by nearly every one of the officers, by the quartermaster, by the paymaster, and by the commandant of the battalion. He undertakes in that report to interpret the law, and to dictate to the officers their duties, and the chief officer of the Militia Department allows one of his subordinates to give a military lesson to one of the commanders of the battalion, and he thinks that is discipline. I protest against that account as *ex parte*. An arbitration has been made by three officers, and the account has been reduced to about \$400, instead of \$1,500. That was done months ago. Though the Department published the first report stating the account to be over \$1,500, they have not had the generosity to say that the officers of the Department have reduced it in that way. Is that dealing fairly and equitably towards the battalion, which was ready to go, and did go, to the North-West, although the circumstances were so painful? It will be borne in mind, says the report, that up to the date that Major Guy was relieved from duty, no account whatever was given of the two cars of rations issued to the battalion on leaving Calgary by Major Mc

Gibbon. There never was one car of provisions given to us. This is an official mistake, an official misrepresentation of the facts. Then, in this report we are charged with having received five horses at Calgary. Mr. Speaker, this is entirely false. By the order of the general commanding, four horses arrived at Calgary; one was unserviceable and was refused, I took one, and my two majors took each one, and they were returned in Quebec, or the value of them was paid. Some other horses came to Calgary. We had nothing to do with them. I might ask his officers there what he did with them. They had some for the use of the brigade, but we never had anything to do with them, and to charge us with having received those horses is not only unfair, but it is false. That part of the report is false, and it is also most ungrateful, and its publication, under the circumstances, shows that there is something wrong somewhere. I think it seldom happens in a country that has been defamed by soldiers, that the chief head of the Militia Department treats those who have devoted themselves to the defence of the country in such a way as the 9th is treated now. The writer of the report says he does not know the value of the horses, but he supposes they may be worth \$300, and he charges us with \$300. Let the hon. gentleman sue us before a court of justice, and, perhaps, he will find out that instead of having received those horses in the North-West, we worked considerably for the country without ever being paid for it. Now, there is a war claims commission. If there was not a war claims commission, the report of the officers named at Quebec to revise the account, would have amounted to nearly nothing. The war claims commission charges us with certain amounts for making mattresses, \$48. That is false. After a detachment of the 9th went to Fort McLeod, they met the Mounted Police, they met a most efficient officer there, Major Cotton. He had some mattresses made up, and he thought it would be better to ask for a few others to be made, and to put straw in them. We knew the straw there was very dear, and it would save the money to keep the old straw longer. He got them made on account of the Mounted Police, and they were used as a loan by the Mounted Police, and now he calls upon the 9th to pay for them. We are charged with our subsistence in the Rocky Mountains. I have already said that if we had not been fed in the Rocky Mountains we would have been fed in Winnipeg. We are charged \$100 for straw hats and helmets. Well, when the company came back to Winnipeg they had small hats, with nothing to protect their eyes. A medical officer reported that the soldiers required straw hats on their heads. It would have taken me, I suppose, about fifteen days or three weeks to communicate with Major General Strange, under whose direct command I was, as the senior officer of the district. But being commander there, and having the doctor's certificate, I decided, as I thought I had a right to do, to give to the officers and soldiers straw hats or helmets, or whatever I could find in Calgary to protect their eyes. It was my duty to do so, I took the responsibility of it, and if it was to be done again I would do it, because I consider that volunteers are not dogs, and that they may wear hats to protect themselves. Well, that is charged to the 9th Battalion. This, Mr. Speaker, gives you an idea how this account has been made up. It is now published and forms part of the official documents. It is not stated in this document that the commission has reduced the account, and we would appear for another year as debtors to the Government for a large amount, if I had not been allowed by the House to stand up here and protest against these proceedings, and to give to this honorable House an idea of how we are treated. Major Guy blames us for having brought down our three horses, and he said we might be forced to refund to the Government the cost of their transportation. Major Guy, who has been employed so long, I do not know at what cost, to find out claims

against the 9th Battalion, to satisfy the hatred of some who do not share my political feelings, might look at page 261 of the Regulations and Orders of the Militia of Canada of 1883, and he would there find that "no field officer has, on any account, to accompany the battalion on active service, unless he is accompanied with a horse." Yet, Major Guy said we did not want our horses, and we should have left them at Winnipeg, and that we are liable for the pay of their transportation. The commission says that the officers did not draw their rations in kind, so an allowance is made of forty cents per day. The law says that the Lieut. Col. in command of a battalion shall have an allowance of \$1 per day. What right has the Department to take away from a field officer 60 cents a day? Let the Department pay their just debts provided by law. The Government already admitted owing money to some of the officers, but they do not apparently think of paying them. If they follow out their orders and rules and pay their debts, the matter will soon be settled. I hardly believe the Minister of Militia has initiated all these matters, but I am sorry to see his signature at the bottom of the statement, and he should have delayed the publication of that account. He should have published at the same time the correction of it made by the commission, and he might have tried, as was suggested by the commanding officer of the 9th Battalion, to settle the affair amicably and not trouble the country with these accusations which are false, unjust and unfair to those who have done their duty to the best of their ability.

Sir ADOLPHE CARON. The hon. gentleman who has just resumed his seat displays an extraordinary feeling, it seems to me, in the discussion of what appears to be merely a matter of account. The hon. gentleman to night, as on other occasions, has mounted his charger and gone to the wars against the Minister of Militia. And why? The hon. gentleman in dealing with this question should remember that those accounts have been made by the accountants of the Department of Militia, that every voucher which has been placed in the hands of the officers in making up those accounts, can be produced by the Department, and an opportunity will be given to the hon. gentleman to disprove whatever he considers it is possible for him to disprove in the charges made against him by the Department of Militia. I can say that the feeling which the hon. gentleman attempts to convince the House and the country as existing between the 9th Battalion and the Minister of Militia, is altogether imaginary on his part, and I do not wish the hon. gentleman to assimilate the case of the officers who were charged by the accountant of the Department with certain amounts that have not been accounted for, with the case of the 9th Battalion. On no occasion can the hon. gentleman find that the 9th Battalion has been accused or attacked by myself, or by any of the officers of the Department. It was, as can be easily understood, the duty of the Department in dealing with payments arising out of the North-West troubles, to account to the country for the money which the Department had received to deal with the troubles which unfortunately took place, and it seems to me to be most unjust for the hon. gentleman in discussing this question, merely to say that it is false, it is untrue, without attempting to advance a tittle of evidence to show that the accounts as claimed by the Department of Militia, are not true and just what they ought to be. The hon. gentleman has not advanced a tittle of evidence to show that those accounts, prepared by the accountants of the Department, are not based on the vouchers and facts as known to the Department.

Mr. AMYOT. Is not the report of the commission, which reduces the account from \$1,670 odd, to about \$400 against the officers, evidence?

Mr. AMYOT.

Sir ADOLPHE CARON. I am not prepared to take up item by item the accounts laid before Parliament; but in the preparation of the accounts the officers of the Department would have no feeling against the hon. gentleman and against his battalion, and they merely carried out their duty according to the accounts and vouchers they had before them. The hon. gentleman on more than one occasion has said, and he stated it the other night as will be seen in *Hansard*, that among the officers who had been selected there had been one who had not been selected by him, and that officer had been imposed on the battalion by the Minister of Militia. I quote from the *Hansard* exactly what the hon. gentleman said:

"Here is another sum of \$126.35, but it is not due by an officer of the 9th, but by an officer who belongs to the regular army, whom the Minister of Militia has himself sent to England, and for whom I am not responsible. There is another item of \$115.25, not due by an officer of the 9th, but by an officer imposed on the 9th by the Minister of Militia. He is not related to me: the hon. gentleman knows to whom he is related.

"Sir ADOLPHE CARON. Name.

"Mr. AMYOT. Surgeon DeBlois—*cousin germain*."

I stated at the time that that officer had been appointed upon the recommendations made to me by most of the officers of the battalion, and I stated also that, if my memory served me, among those recommendations was a recommendation from Lieut. Col. Amyot himself. And to show how much reliance can be placed on the statements made, in the excitement of debate, by the hon. gentleman, I will read to the House the very telegram which he himself addressed to me, asking me to appoint that very Surgeon DeBlois, whom he says I imposed on the 9th Battalion. Here is the telegram:

"QUEBEC, 1st April, 1885.

"To Hon. A. P. CARON.

"Doctors Roy and Watters sick. Will you authorise Arthur DeBlois, doctor, to be attached to battalion.

"G. AMYOT."

Upon the receipt of that telegram I replied, on the same date, as follows:—

"OTTAWA, 1st April, 1887.

"Lt. Col. G. AMYOT.

"Quebec.

I authorise Doctor De Blois to be attached to 9th Battalion.

"A. P. CARON."

The hon. gentleman on the same day continued his correspondence by telegraph as follows:—

"QUEBEC, 1st April, 1885.

"Hon. A. P. CARON.

"Ottawa.

"Bought boots. Trying to have balance. Asking medicine chest; condemned. Want De Blois authorised to buy. Want instruments. Do best to be able to start to-morrow; men ready

"G. AMYOT."

I read those telegrams to the House so as to show that the hon. gentleman has forgotten a good many of the telegrams which he sent, and has forgotten a good many of the facts, and, possibly, some of the facts which he has forgotten relate to the very accounts he is complaining of, and upon which he has expressed such a very strong opinion. These accounts have been made up by the officers of the Department, and if there is any amount due to the Department, that amount must be collected, and the hon. gentleman will have an opportunity, in another place, of disputing any or all of these accounts. I do not intend, at this late hour of the evening, to go into the details of the report to which the hon. gentleman has referred, but I repeat again, that during the whole of the troubles, I have not heard a word of complaint, except from the hon. gentleman, about any of the accounts which have been made up by the same officers in the Department of Militia. I am perfectly certain that when the hon. gentleman looks into the matter more closely and more calmly, he may possibly change his opinion, and he may not find that such bad feeling has been shown towards

the officers of his battalion by the officers of the Department of Militia.

Motion agreed to, and House again resolved itself into Committee.

(In the Committee.)

Customs Department—salaries..... \$300

Mr. DAVIES (P.E.I.) Is this Mr. T. J. Watters who receives an increase of \$200 the gentleman who received the money for seizures?

Mr. BOWELL. Yes.

M. DAVIES (P.E.I.) Why is his salary increased?

Mr. BOWELL. He is accountant of the whole Department, and his work has increased so enormously that I thought he was entitled to this increase of salary. I wished to avoid that which hon. gentlemen opposite have been complaining of so much, that is, the bringing down of items for sums to pay for extra work. The records of the Department show that Mr. Watters is there until ten or eleven o'clock at night.

Department of Indian Affairs—salaries \$650

Mr. MILLS (Bothwell). What has been the position of Mr. W. A. Orr heretofore, and what are the special reasons for increasing his salary from \$750 to \$1,100? It seems a pretty sudden leap.

Sir JOHN A. MACDONALD. He is promoted to a second-class clerkship, and this is the minimum salary.

Departments of Justice and Fisheries \$2,100

Mr. MILLS (Bothwell). I notice that in the salaries for the Department of Justice, and the Department of Fisheries, there are seemingly two new officers. I supposed we were going to economise, but this does not look like it.

Mr. FOSTER. With reference to the Fishery Department this will be an economy. The vote is to provide for an additional second-class clerk, an officer who is found to be necessary in the Department. The gentleman to be appointed already receives pay out of contingencies.

Mr. MILLS (Bothwell). Then the hon. gentleman has really been paying this officer in another way?

Mr. FOSTER. Yes.

Mr. MILLS (Bothwell). And, therefore, I suppose there will be one less charged to contingencies.

Mr. THOMPSON. As regards the officer in the Department of Justice, the accounting of that Department has been recently increased very largely by the addition of accounts which were formerly kept in another Department, and the work has been found to be rather large for one accountant. Last year we abolished a third-class clerkship, which I now propose to restore, with the exceptional provision that the clerk shall be appointed at the maximum salary, in consequence of his having technical qualifications as a skilled accountant.

Penitentiaries—salaries \$1,000

Mr. McMULLEN. What is the present salary of the storekeeper at Kingston Penitentiary?

Mr. THOMPSON. \$900. There is an increase on account of his exceptional qualifications in the service. He is the only present officer who receives the maximum that he will be entitled to under the new Act. The other evening, when the main Estimates were being passed, I gave an explanation with regard to an increase there that should apply to this officer. He is a very valuable officer for the purchase of stores in connection with the penitentiary.

Mr. MILLS (Bothwell). I wish to mention a matter, which I mentioned before. I see that the hon. gentleman

proposes to increase the salary of the warden of the Manitoba Penitentiary by \$100. This officer was at Battleford with General Middleton and a Mr. Hayter Reed. I called the attention of the Minister of Militia to the fact that there was a half-breed named Charles Bremner living in the vicinity of Battleford, and having in his possession \$7,000 worth of furs; that he was arrested and sent to Regina, and afterwards discharged because there was nothing against him; that during his absence his furs were taken possession of by the military; and that General Middleton, this man Bedson, and Hayter Reed, divided the furs amongst them. There can be no doubt about the matter—these three parties, instead of protecting the property of an innocent man, took it and divided it amongst them. I believe this matter has been brought to the attention of the Government. I would like to ask the Minister of the Interior whether the matter has not been brought to his attention?

Mr. WHITE (Cardwell). No, it has not. There may be something of it in the report of the commission, but that has not yet been received.

Mr. MILLS (Bothwell). Has the hon. gentleman never heard anything about it?

Mr. WHITE (Cardwell). Nothing except what the hon. gentleman himself said in the House a short time ago.

Mr. MILLS (Bothwell). I say that men occupying the high official positions of these men ought not to engage in looting business of that sort. When men occupying such positions go into an enemy's country, perhaps, according to the laws of war—the law of the country being suspended, and no one owning any property by law—a proceeding of this sort might be allowed; but when a man goes into his own country, and is paid, and is liberally paid, by the public for the services he is discharging, and, instead of exerting his authority to protect people and to preserve their property, uses his position, because he thinks that the public are not likely to become cognisant of his conduct, to rob a citizen of his property, especially when the man is a half-breed, living beyond the influence of public opinion and the reach of public intelligence, the Government ought not to come down to Parliament and propose to increase his salary, as is done in this case. I say those men ought to be called to account for their conduct, and they ought to be held responsible to the law of the land for what they have done in this matter. I do not think we are discharging our duty to the people of this country when we permit officers, who conduct themselves in this way, to escape that censure which their conduct richly deserves.

Mr. SCARTH. The hon. gentleman has made statements here for the second time without bringing forward the least evidence for what he has said. I know Mr. Bedson, the warden of the Manitoba Penitentiary, much better than I know the hon. gentleman, and I am prepared to say that Mr. Bedson is as honorable a gentleman as the hon. member for Bothwell or any other member of this House, and I think it ill-becomes the hon. member for Bothwell, in the absence of a man of Mr. Bedson's character, a servant under the Government for many years, and a gentleman who went forward in the rebellion and did as good work as any other man in that rebellion, to get up in this House and accuse him of conduct that he is not able to prove.

Mr. MILLS (Bothwell). I believe the Government have in their possession the proof of the accuracy of the statement which I make. I have my information from persons who profess to have personal cognisance of what was done. I was given a copy of a receipt that was taken by the force at the time this property was taken possession of. I was told how the property was distributed, and how trunks were filled with the furs and sent out of the settlement. The hon. gentleman talks about Mr. Bedson's character. I have had opportunities of knowing something with regard to the con-

duct of that officer, which I mentioned to the hon. members on the Treasury benches, and if the hon. member for Montreal West (Sir Donald Smith) were here, he could bear testimony which would be very different from that which the hon. gentleman has set up.

Mr. THOMPSON. As regards this officer, when his salary came under consideration in the main Estimates, the hon. member for Bothwell asked if the Minister of Militia and myself had been aware of a charge of that kind having been made by one Bremner. I replied that I had not heard of it before, and I have not heard of it since. If Bremner has been aggrieved in the way the hon. gentleman describes, it is very extraordinary that he has not made a complaint either to the Minister of Militia or to myself, in whose Department, Mr. Bedson is serving. With all deference to the hon. gentleman's parliamentary experience, it strikes me as novel and somewhat unwise that an officer of the public service, and so far as I know of honorable service, should be stigmatised as a thief when the person he is alleged to have robbed has not laid a single charge against him, and when the officer has not had an opportunity of answering any complaint. If the hon. gentleman had made a statement the other night with the positiveness that he has done now, I would have called upon Mr. Bedson to answer it; but the hon. gentleman put it in the form of a question, and down to this moment Mr. Bedson has not had an opportunity of answering this charge. I beg to say that this is not an increase in his salary. When the main Estimates were under consideration I stated that the officers of the Manitoba penitentiary were, for a number of years past, in receipt of larger perquisites than the officers of any other institution. Not only were they in the receipt of fuel, which was not customary in the other penitentiaries, but Mr. Bedson has been receiving rations as well, and an enquiry elicited the fact that those perquisites are worth very nearly \$1,700 a year. I asked the House to give an additional allowance of \$100, and this is a further additional allowance.

Sir RICHARD CARTWRIGHT. I am inclined to think that the hon. gentleman is right in the supply of the perquisites. Looking over the Auditor General's Report, I find certain items to which I called the attention of the Public Accounts Committee, with respect to this same Manitoba penitentiary, and which I consider as very decidedly objectionable. I am not disposed to take umbrage at some trifling expenses incurred by some of those officers, but when I come upon items like these:

"Governor General's visit—Colored cotton and print, \$20.38; champagne, 2 cases, \$65; medoc, 2 cases, \$17; port, 1 gallon, \$6.50; sherry, 1 gallon, \$6.50; whiskey, 2 gallons, \$5."

I think that the management of this penitentiary has been lax, to say the least of it. I think it is very unfair to His Excellency that his visit should have been used for the purpose of allowing expenses like this to be incurred. We know that in this country there is a very strong feeling indeed on the temperance question, and it is not right that, under the guise of a visit paid by the Governor General to a penitentiary, an expenditure of this kind should be incurred and charged in this fashion. There is no doubt whatever that this visit of His Excellency was made the occasion of a certain amount of guzzling on the part of a number of persons who chose to avail themselves of that opportunity to go out there, and it is not, in the state of public opinion, right or proper that such items should creep into our Estimates. I called the attention of the Public Accounts Committee to this, and enquired by whose authority it was done. If not done by the authority of the hon. gentleman, it is clear there were irregularities in connection with the penitentiary, which shows the management has not been in all respects what it should be.

Mr. MILLS (Bothwell).

Mr. THOMPSON. This is not at all an evidence of mismanagement of the penitentiary, and has no reference to the system of perquisites at all. At the time His Excellency was about to make a visit to the penitentiary, the warden telegraphed to the Minister of Justice for the time being—I had been sworn in but not elected—to state that His Excellency was about to visit the prison, and asked whether he should be permitted to entertain him. He received from the acting Minister of Justice the reply that he might to the extent of \$100. I regret more than the hon. member himself, for the sake of the dignity of His Excellency, that this item should appear as it does in the Public Accounts. I cannot help thinking it was put in the Public Accounts, not for any wise or proper purpose, and it is likely to convey the impression that there was irregularity in the management of the prison.

Sir RICHARD CARTWRIGHT. I do not think it was a judicious permission. I do not at all approve of this practice of considerable sums being voted—I am not straight-laced in these matters—in providing liquors on occasions of this kind.

Legislation, Senate.....\$2,100

Mr. McMULLEN. What is the name of the law clerk and what is his salary?

Sir CHARLES TUPPER. \$2,200 and this makes it \$2,500.

Sir RICHARD CARTWRIGHT. I cannot see what reason there is for these increases. These officers have been receiving these salaries for a considerable number of years, and I do not see any reason why any increase should be made. Here one increased \$300 and the other \$400. These are not regular statutory increases, and some reason should be given why they are proposed. The work of officers in the Senate is considerably less than the work done by our officers here.

Sir HECTOR LANGEVIN. These increases are not made by the Government but by the Senate themselves.

Sir RICHARD CARTWRIGHT. I do not think that justifies them.

Sir HECTOR LANGEVIN. We are not in a position to give all the figures the Senate ask for increasing the salaries of these officers. I understand the law clerk has still less than had his predecessor. The sergeant remains on as clerk of the French Journals besides being sergeant. His salary was \$1,200, and I have given him \$100 more for his work as clerk of the French Journals. This office had become vacant by the death of Mr. Taché, and the Senate thought it well to divide the work between two, giving \$400 to the sergeant-at-arms and the other \$800 to the assistant clerk of French Journals, who is Mrs. Taché, widow of the late officer.

Sir CHARLES TUPPER. On concurrence I propose to reduce the Estimates by \$1,200.

CORNWALL FLOODS.

Mr. BERGIN. The hon. member for South Oxford asked for an explanation yesterday with regard to the sum of \$10,000 voted for the relief of the sufferers by the Cornwall flood. According to *Hansard* he spoke in this way:

"If I am correctly advised the present sitting member and the then sitting member was one of the parties whom the Government thought fit to entrust with the administration of this money. I may say at once that unless there was absolutely no other human being in Cornwall whom the Government could trust, it was a very indiscreet and improper thing to entrust to a gentleman about to run an election with the distribution of \$10,000 of money taken out of the public Treasury for any purpose whatever."

Afterwards he said :

"Because I was informed that the person chiefly concerned was the then and present member for the county, Dr. Bergin, that there were three parties of whom he was one, and we ought to have, I think, a statement of how the money was spent. Has the hon. gentleman the information?"

I am not going to find fault with the hon. gentleman for asking information as to how the money was spent; but I could not have imagined before, that partisanship would, under such circumstances, have carried any hon. member of this House so far as to charge a man, in the face of such an appalling calamity as that which befell the town of Cornwall, with being so deaf to all humanity and charity as to abuse a position which he had not, but which that hon. gentleman thought he had, to deprive the sufferers, the starving, the naked, the houseless, and the homeless of that which was sent in the hour of their distress by the Government for their relief. Let me say to the hon. gentleman that I had no more to do with the distribution of the money than he had. Let me tell him that from the moment I was advised by the Government they would respond to our call for relief, I took care to have nothing, directly or indirectly, to do with the distribution of the money. I asked the mayor to call a meeting of the citizens. He did so, and there was a large number of citizens present. They appointed a committee, consisting of one gentleman as chairman, from each ward, and of which all the clergymen of the town formed a part. That money was distributed almost entirely under the direction of the clergymen of every denomination in the town, without respect to persons, and I think there is no man who will charge men like the Rev. Canon Pettit, the Rev. Father Murray, the Rev. Dr. McNish of St. John's Church, and the other clergymen, who, if they have any politics, have different political views, with having abused their trust and applied this for political purposes. As to the local chairmen, there were two chosen from each political party, and everything was done to prevent any misappropriation of that money, and, after it was all expended and there was no further necessity for relief, then these gentlemen arranged for an audit, and whom did they select as their auditors? One was an officer of the Government. They thought it was only due to the Government, who had granted this money, that their officer should be taken as one of the auditors, but the other was one of the most violent partisans of hon. gentlemen opposite though he is an honest man, the registrar of the county. Could it be possible under such circumstances, that there could have been any improper interference with the distribution? Under ordinary circumstances I can forgive a charge of that kind being made, but under circumstances such as those which occurred at Cornwall, I cannot forgive any one for suggesting that one could be so lost to all sense of duty, all sense of right, all sense of charity, and all sense of justice as to divert this grant from the intended purpose under the conditions in which these people were.

Sir RICHARD CARTWRIGHT. The hon. gentleman has taken a very extraordinary view of a very proper question which was put by me. We had a perfect right to know what was done with the money which was given by Parliament out of the ordinary course, under very exceptional circumstances, and at a time which shortly preceded an election in which that hon. gentleman took part, and there was the best possible reason for making an enquiry as to how the money was disposed of, because, if the hon. gentleman had anything to do with the disposition of that money, it would have been a most improper act. The practice of giving money in cases of calamity requires to be closely watched, and I am very glad to hear that the hon. gentleman had nothing to do with the distribution, because that would have been very improper, and would have shown how closely these matters should be watched. The information was given to me that the hon. gentleman

was largely concerned in the distribution of this money, and it was in the discharge of my duty that I asked the question I did. It is of very little moment to me whether the hon. gentleman is pleased or not.

Mr. BERGIN. It may not be a matter of very much moment to the hon. gentleman, but it ought to be. It may not be a matter of very much moment to him whether he asperses the character of another hon. gentleman or not, but it ought to be. It may not be a matter of very much moment to him whether he stands well with the country or not, but it ought to be. And I maintain that a gentleman who holds the high position which he holds in the ranks of the Opposition, ought to be careful of the honor of gentlemen who hold positions in this House. The hon. gentleman must recollect that I stated in my opening remarks that I found no fault with him or anyone else for enquiring how this money was spent, but I did find fault with the manner in which that information was asked for, and to show that I did him no injustice, I read his own words, and I will repeat them again. He went so far as to say :

"Unless there was absolutely no other human being in Cornwall."

There could be no other construction put upon it than that this grant was sent to me, and was so sent with the full knowledge that I must be a very dishonest man and would misapply it.

Sir RICHARD CARTWRIGHT. I have to repeat that, had it turned out that the hon. gentleman had anything to do with the distribution of this money, it would have been a most improper thing. The Government were not prepared to give the information when I asked for it because they had not the details, and I was perfectly justified in what I said and I repeat everything I said on the subject.

House of Commons \$6,472 20

Sir RICHARD CARTWRIGHT. What is the occasion for these eight additional messengers? I should have thought that we had enough of them already.

Mr. SPEAKER. I stated last night that, when I assumed the duties of Speaker, I found there were several extra employes who had to be paid out of the contingent fund, and I thought it would be much better to have them placed on the permanent staff. I think that the employes generally are much better under control when they are regularly on the staff than when they are employed as extras. As I said last night, this does not impose any greater burden than before. The messengers are fully employed for the convenience of members, and would be missed if they were not employed.

Sir RICHARD CARTWRIGHT. Do I understand that this is not an increase, but that these are men who were in the service before?

Mr. SPEAKER. They were.

Sir RICHARD CARTWRIGHT. I was not in the House at the time he made his explanation, otherwise I would not have repeated the question. I agree with my hon. friend that it is better that these officials should be paid in this way than under the head of contingencies, but my experience of messengers about the House, though I have not the same opportunity of judging as Mr. Speaker has, is that we had enough of them before, and if eight were to be employed in addition to those who were employed before, it would have required some information. However, as I understand they are not additional in the proper sense of the word, but are merely transferred from the contingencies to the regular account.

Sir CHARLES TUPPER. I desire to bring in a provision to pay the indemnity and mileage of the late Robert Campbell, \$1,021.

Sir RICHARD CARTWRIGHT. I have not the slightest objection to that, but does it not require an additional message?

Sir CHARLES TUPPER. This was placed in the Supplementary Estimates before the Governor General's message had been printed, and it does not appear in this. It was included in the message as brought down.

To pay Captain J. Wilson for services as returning officer at Algoma..... \$ 150

Sir RICHARD CARTWRIGHT. Are we to understand that the gentleman who acted as returning officer, was the Collector of Customs at Sault St. Marie?

Sir JOHN A. MACDONALD. He has been returning officer for many years.

Sir RICHARD CARTWRIGHT. We know the position of Algoma is exceptional, but still, appointing a Collector of Customs as returning officer, is a precedent which would be more honored in the breach than in the observance.

Sir JOHN A. MACDONALD. He had performed the duties previously in several elections with great acceptance. It is a very large district, and he knew how to manage it.

Sir RICHARD CARTWRIGHT. I was informed at the elections for Algoma that very considerable irregularities had occurred in the polling district, which matter, I believe, is now before the courts. The people did not know until the date of the election, where the poll was to be held. How does this officer come to be paid \$150 extra?

Sir JOHN A. MACDONALD. He is paid \$150 for his work as returning officer.

Sir RICHARD CARTWRIGHT. All returning officers receive a certain sum without their coming to Parliament for it. This must be an extra clearly; I have never seen this vote before, to my recollection. Is clause 51 a new clause?

Mr. BOWELL. The clause provides that we shall not pay any officer any extra money unless it is voted by Parliament.

Mr. DAWSON. The irregularities which the hon. gentleman has heard of, are more in imagination than in reality. The district of Algoma is of enormous extent, as large as all the Maritime Provinces combined, with Newfoundland and Gaspé added. The duties there of a returning officer are very onerous indeed. Last winter, when the election was going on in the depth of winter, and in the midst of snow storms, the returning officer very nearly sacrificed his life in his endeavor to do his duty. To say that irregularities occurred, and that the people did not know where the polling stations were to be, is not borne out by the facts. The polling stations are where they always have been since the district was organised. They knew perfectly well where they were to be, and all these idle reports are merely put out by disappointed candidates.

Arts, Agriculture and Statistics \$17,500

Sir RICHARD CARTWRIGHT. Aid to agricultural societies in the North-West Territories, \$10,000. How is that going to be distributed?

Mr. CARLING. In the same way as is done by the Local Governments of Ontario and Quebec. Where there is a society of fifty members, subscribing \$50, the Government will give the \$3 to their one.

Sir CHARLES TUPPER. I may take this opportunity to detain the House for a moment in relation to an enquiry that was made by the hon. member for South Oxford in regard to the exhibition, as to the statement that dissatisfaction was expressed by Messrs. Ballantyne and Macpherson in regard to the cheese exhibit. I will read the letter which was written to me by those gentlemen when they left London:

"LONDON, 20th May, 1886.

"DEAR SIR,—The cheese shipped by Mr Ballantyne on behalf of the Ontario Government, have now arrived and, being too late for exhibition purposes at opening of exhibition, will you kindly give the undersigned an order for the delivery of the same so we can store them in a cool place and will be available for use in the colonial market and restaurants during the holding of the exhibition. We think this will be the best means at our command to give the English public an opportunity of testing the good qualities of Canadian Cheddar cheese. We may add that the cheese referred to has arrived in the best possible condition. We also propose to keep 100 of these cheese till fall to assist in making a good display of dairy products sometime during the months of September or October. This will test the keeping quality of our cheese, which is a fact of importance to have the public know. With many thanks for your kindness, and courteous attention, we are, Dear Sir,

"Yours respectfully,

"THOMAS BALLANTYNE,
"D. D. MACPHERSON."

I give that to the hon. gentleman as the evidence. I will also read from the report of the Ontario Agricultural College:

"Good service was rendered by the cheese of the make of 1885, before mentioned, and sent over in care of Messrs. Ballantyne and Macpherson. Often prominent dairy experts would say that while our Canadian cheese was very fine, when comparatively new, it lacked good keeping properties. To such I would sample these cheeses over one year old. Among the well known dairy experts to whom I showed these cheese were Mr. H. F. Moore, of Frome, and Prof. Fream, of Downton Agricultural College. The expressed opinion of both was that these old cheese were as fine as any cheese in the whole exhibit, and so fine that to them the cheese awarded the first prize at Frome Dairy show, would have made but an indifferent second. At Frome is held the largest cheese show in England. Mr. Moore did us the justice and service of writing an article to the London Times containing the same statement."

I will read one single extract from the report of the gentleman who was sent over subsequently by the Ontario Government:

"The location occupied by the Canadian exhibit of butter and cheese was, perhaps the most prominent in the whole Canadian court. Canada had a large trophy composed of the various agricultural products of the Dominion: Sheaves of wheat, barrels of flour, sides of bacon, little tins of honey, jars of apples and fruit, agricultural implements, &c. These were arranged in a most symmetrical and artistic combination. Right beside this, in a prominent place, and where it would best attract the attention of visitors, was located Ontario's cheese and butter. For this advantage Mr. C. C. Chipman, the acting commissioner, is entitled to our thanks * * * Good service was done the country by the shipments of cheese sent from here in the spring. I did not forget that I had been sent to represent the interests of Ontario in this matter, and I was fortunate enough to get possession of some of these cheese, which had not been placed on exhibition at the opening by reason of their not arriving in time."

It was a matter of some importance; and having devoted a great deal of time and hard labor to make this exhibition a success, and having done it without—from the commencement of the exhibition at Antwerp to the Colonial and Indian Exhibition—incurring one dollar of expenditure to the country in connection with any position as Executive Commissioner, I felt it right to detain the Committee in order to put this matter right.

Militia \$116 66

Mr. McMULLEN. By the Auditor General's report I observe that Dr. Bergin, who, I suppose, is the gentleman who recently addressed the House, drew \$1,800 for services as Surgeon General. Is he still so engaged?

Sir ADOLPHE CARON. I have answered that question already. I stated that Dr. Bergin was appointed as Surgeon General; that he had no duties to perform at present, and consequently he was not under pay.

Mr. McMULLEN. I see there was also a deputy Surgeon General who received \$1,573. Have we that officer now?

Sir ADOLPHE CARON. No.

Sir CHARLES TUPPER.

Mr. CHARLTON. How long is it since the Surgeon General was performing duty and under pay?

Sir ADOLPHE CARON. He has not been under pay for a long time. His pay ceased almost immediately after the termination of the trouble; I cannot remember the exact date. He was under pay for six or seven weeks afterwards to wind up his accounts and settle matters connected with his branch.

Mr. McMULLEN. He received pay up to the 1st September, 1885, which is more than a few weeks after the trouble closed.

Railways—Intercolonial..... \$180,900

Mr. JONES. I suppose this amount is to increase the accommodation at Halifax?

Sir CHARLES TUPPER. Yes.

Mr. JONES. Does the Minister of Railways propose taking any immediate step to acquire the property there for the improvement and enlargement of the terminal facilities at deep water?

Mr. POPE. I intend to have an investigation made as soon as possible. Whether it will require property to any large extent to be acquired, or whether we can manage to lay a track on the wharves must depend on the result of the investigation, and I intend to have that made as soon as possible.

Mr. JONES. I hope there will be no loss of time in making an investigation.

Mr. KENNY. I beg to remind the Minister of Railways that early in the Session I placed in his hand plans and papers and a petition for a subsidy for the Halifax and North-Eastern Railway, or as it is called, the Musquodoboit road. This proposition has excited much interest in Nova Scotia. It starts from the eastern side of the harbor of Halifax and passes through or near the gold mining districts of Waverley and Oldham, and then the agricultural district of Musquodoboit, and ultimately reaches the Pictou coal fields. A subsidy has been granted to the road by the Local Government, and I hope the Minister of Railways will take the subject into serious consideration. I notice that no provision has been made so far this Session. I may remind the hon. gentleman also that he received the plans for a proposed line from Bedford to a point on the Windsor and Annapolis Railway, a loop line about ten miles in length, to go through from Bedford to a point six or seven miles west of Windsor Junction. Both those documents have been placed in the Department of Railways, and as yet no official response has been made to them.

Mr. POPE. I really did not think it was necessary to make any official response, for the hon. gentleman has been so anxious about the matter that he has called upon me before breakfast and after dinner, and has pushed me at all hours. I may say that so far as the railway is concerned, the profile of the road was placed in my hands and is in my office. I am afraid it runs a little parallel to the road now in existence; but, at all events, I found it quite impossible to give aid to all the railways that were brought before me. I felt that this one, under the circumstance, might lie over for the time being, and the hon. member had pushed me so hard that I was not likely to forget it, and if I forget it he will, no doubt, bring it before the House.

Mr. JONES. I suppose this would more properly have come before the House when the items of railway subsidies were under consideration, and I had intended then to have adopted the same course adopted by my colleague with respect to those two branches. The first branch, the branch from Bedford, a loop line to connect with the Windsor and

Annapolis or Intercolonial Railway, would intersect a very fine portion of the Sackville valley, and would prove a very great convenience to the people of that district. They held several meetings and enlisted the sympathy of the Local Government, and it would not require a very great expenditure if the Dominion Government were disposed to afford the company the usual assistance, while I do not think it would be a competitor with the Intercolonial, because it runs in a different direction rather from the line followed by the Intercolonial Railway. I hope the Minister will still keep it in memory, and, if not this year, we will another year have an appropriation. With respect to the road from Halifax harbor to Pictou: That is one of very considerable importance. The hon. gentleman says the papers are in his Department, and I thought we had a fair prospect of having a subsidy granted to that line, because the Minister of Finance, during his visit to Halifax, led the promoters to understand, and, I am informed by them, gave them his promise that an appropriation would be made for that road during this Session. I have heard from several parties interested in that line, that such an assurance was conveyed by the Minister of Finance, and I know his own political friends gave it out during the election campaign that they had his assurance that the subsidy would be granted. Aside from that, the road on its merits is a very desirable one, for which I think the Minister would be justified in asking the House for an appropriation. It goes through a splendid settlement, one of the finest agricultural sections in the eastern part of the Province. I am sorry the Finance Minister has not been able to carry out what I understand was the promise he made on the occasion, and I know his failure to do so will cause great disappointment, particularly to his own political friends.

Sir CHARLES TUPPER. I can only say the hon. gentleman was misinformed. What I did say with reference to the railway policy of the Government was said publicly and in the hon. gentleman's presence. A deputation waited on me in connection with the road; they pointed out that it was to run from the village of Dartmouth up into the fertile district of Musquodoboit, and I explained that the Government of which I was a member had taken great interest in the promotion of those railways, that subsidies had been granted to them, but that it was not in the power of myself or of any other member of the Government to pledge the Cabinet to any matter upon which a decision had not been formally arrived at, but that I would see that the merits of the road would be fully and fairly represented to my colleagues for favorable consideration, as they had been represented to me, but I made no pledge whatever.

Mr. JONES. I can only say that the decision of the hon. gentleman will involve great regret to his political friends and the public generally.

Mr. CHARLTON. I see that a portion of this vote is for applying electricity for lighting the cars and steam for heating them direct from the locomotive. I would ask what mode was adopted for applying the steam and generating and applying the electricity?

Mr. POPE. I can only say that we will adopt the best mode we can find, but that the plan has not yet been decided upon.

Mr. MITCHELL. I wish to state to the Minister of Railways that three years ago, when the present Minister of Finance was Minister of Railways, I referred to some claims on the Intercolonial Railway, when he stated in reply to a question by the hon. member for South Oxford (Sir Richard Cartwright), that this was the last claim of the kind on the Intercolonial Railway. I rose and reminded him that I had submitted some claims on Section 16, and he at once assented to the fact of those claims having been

made, and said the matter would be enquired into and dealt with. The Finance Minister moved from this to a higher and more important sphere, and the matter was left in charge of the present Minister of Railways, for whom I have great respect, but of whom I must say that, as regards paying claims in connection with public works, he is one of the toughest customers I ever met. Although I pressed this claim, and quoted the statement of the present Finance Minister, I found great difficulty in getting him to take it up. After a year and a half, however, it was referred to the Dominion arbitrators, who made a favorable report, which has now been in the hon. gentleman's hands some fifteen or sixteen months. Unfortunately for my clients, I have not been in favor with the Administration during that time, and I have not been able to get the hon. gentleman to pay these claims; in fact, I am not sure whether he has considered them. There are only some four or five small claims; they have been reported upon favorably, and I would ask if he will consider them and pay them.

Mr. POPE. I sympathise with the hon. gentleman in the delays which have been caused by my predecessor in not looking into the matter. The hon. gentleman knows my predecessor was slow in looking into any claims from the Maritime Provinces. However, I have already taken action by sending on the arbitrators. I have the report, and I can tell the hon. gentleman that I will take action very soon, though whether I pay them or not is another matter.

Mr. MITCHELL. I would really like a more distinct promise from the hon. gentleman. I remember that about the same time another claim was reported upon, in connection with the tug *Sultan*, and I got the cold shoulder from both of them. This other claim was in the hands of the Minister of Public Works, and, though I could not get it paid till the elections came on, I then found that my adversary, who was running in the interest of the Government, managed to get it paid. The hon. gentleman has surely read the report; he knows that the claims are just, and I trust he will give me an assurance which I can convey to my constituents that the claims will be paid.

Mr. POPE. The hon. gentleman can assure his constituents that I would have looked into the matter long ago, but that I was afraid of its being an election dodge. I will look into it now.

Mr. MITCHELL. Although it is not exactly in line with the other matter, perhaps the Minister of Public Works will give me his attention for a moment. I brought under the notice of the hon. gentleman, when I was rather an admirer of his in former years—I am rather an admirer of his yet, because I think he is honest, only for his surroundings—I brought under his notice the matter of building a wharf at Neguac. A report was made that it would cost some \$3,000 and it was for the purpose of facilitating the lading of the daily steamers at that place the settlers having to carry their produce on small boats, owing to the difficulty of landing. About three year ago, my hon. friend gave me more than half a promise that the money would be put in the Estimates, but the next year I was rather out of favor with the Administration, and, while I know that the hon. gentleman's personal feelings towards me were as good as ever, his official feelings were somewhat changed. I have never been able to get him to consider this small claim of \$3,000 since. There is something like \$50,000,000 representing statutory obligations and votes of Parliament, and I do think, considering that not \$1 has been granted on any application I have made—and I made only two or three moderate ones—the hon. gentleman might redeem that half pledge which he made to me three years ago and build this wharf at Neguac.

Sir HECTOR LANGEVIN. The hon. gentleman is right. He spoke to me several times about this wharf, and Mr. MITCHELL.

in accordance with his desire and my promise I brought the matter before my colleagues. Every application made to my Department for works was laid before my colleagues, and from the Council room my estimates came just as we find them here, and Neguac was not there.

Mr. JONES. I would like to ask the hon. the Minister of Railways if he has made arrangements for the electric light for Halifax station at North street and at Richmond, respecting which I had an interview with him a short time ago.

Mr. POPE. I have sent for a report as to that.

Repairs to road dyke along Lake St. Francis\$4,000

Mr. MILLS (Bothwell). What is it for?

Sir CHARLES TUPPER. Between the village of Co-teau Landing and the mouth of the River Beaudet, on the North Shore of Lake St. Francis, several portions of the road are exposed to the full sweep of the waves, and it is in danger, and this dyke, which is three feet high and four feet wide, and costs \$1.14 per lineal foot, is to be erected to protect it.

Mr. MILLS (Bothwell). Does the municipality or the Province contribute anything?

Sir CHARLES TUPPER. No.

Public Buildings, Ottawa—to provide for settlement of claim of W. Farquhar & Co., contractors for the Library Building \$3,046 06

Sir RICHARD CARTWRIGHT. This must be a very old claim?

Sir HECTOR LANGEVIN. This was refused by the contractors at the time, but they have finally accepted it.

Public Buildings, New Brunswick.....\$17,800

Mr. MITCHELL. Might I ask at whose request \$500 is asked for the Chatham quarantine buildings. I have never had any representation made to me that they required repairs or alterations, and as the representative of the county, I think I would have been informed of them if they were needed. Hon. gentlemen are ready enough to put votes in the Estimates that are not asked for, but they are not so ready to put in what I know is required. I suppose it was my antagonist who was put up to oppose me in my election who asked for this vote.

Mr. CARLING. I think it was recommended by an officer of the Department there. I do not remember.

Mr. MITCHELL. Will the hon. gentleman bring the information some time?

Mr. CARLING. I will do so.

Public Buildings, Quebec.....\$46,000

Mr. LAURIER. What is the vote of \$7,000 to the St. Vincent de Paul Penitentiary required for?

Sir HECTOR LANGEVIN. It is for a number of items, principally for steam pipes and steam fitting throughout the building.

Mr. LAURIER. Is there any prospect of the works at the cliff under the Citadel at Quebec being completed during the year?

Sir HECTOR LANGEVIN. This vote of \$4,000 will finish the work. There were a number of large boulders and other rocks which threatened to come down.

Public Buildings, Ontario.....\$222,312 92

Sir RICHARD CARTWRIGHT. I hardly think \$10,000 would cover the cost of building an examining warehouse

in Kingston, if it is to correspond with the Custom house and post office.

Sir HECTOR LANGEVIN. We get the site free.

Mr. MITCHELL. It seems extraordinary that the Government should contribute to build fire stations in Ottawa.

Sir HECTOR LANGEVIN. The explanation is that we pay no taxes in Ottawa on our buildings. We have the city fire department as well as the police to watch our buildings, although we have our own Dominion police. The city police do their duty towards the Government, and several times the fire department of the city has been called upon to come to our relief. The city corporation found that our buildings are so lofty they required better fire accommodation, larger number of reels and fire apparatus, and acquired a central station not far from our public buildings. This is the Government's share of the contribution.

Mr. MITCHELL. I presume the hon. gentleman recommended that to Council.

Sir HECTOR LANGEVIN. Certainly.

Mr. MITCHELL. It was not struck out, was it?

Sir HECTOR LANGEVIN. It was not, since it is here.

Mr. CHARLTON. I see a post office is given to Cayuga. There are many towns in my county larger than Cayuga and more entitled to a public building.

Sir RICHARD CARTWRIGHT. In South Oxford there are three or four towns five times the size of Cayuga, which are without public works. I hope the Minister of Public Works will provide them with public buildings, Inland Revenue offices, &c.

Mr. PLATT. It is not likely the people of Cayuga will object to the vote, but there ought to be some system applying to the distribution of party patronage. Much larger towns at present are overlooked, although many of them have the right to claim the fulfilment of promises made before the elections. I would ask the Minister of Public Works if representations have not been made to him on behalf of the town of Picton. There is a strong feeling of disappointment in that town, on both sides of politics, at there being no vote in the Estimates for public buildings there. During the elections last winter, a rather wealthy individual of the town purchased a lot expecting it would be the site of a public building, and this purchase was made a few days after the visit of the hon. the Minister of Customs. I am not aware that the hon. gentleman has had a word to say on the subject since. I had hoped my hon. friend would have pressed the Minister of Public Works not to disappoint the people of Picton. The system which governs the selection of sites for these public buildings is on a wrong basis, as members of Parliament are expected to urge upon the Minister the claims of their particular localities, and more weight is given to political considerations than to any other. It is somewhat degrading, when one is pressing claims which are just, to find that the Minister sends some political partisan to look into the claims. Many times I have refrained from pressing claims, for the reason that, when I have spoken, I found that letters had been addressed to particular supporters of the Government in my locality, telling them that if anything came in the way of Platt better not do it. The Government should lay down some plan by which towns that contribute a certain revenue to the Treasury would receive certain grants. The town of Strathroy comes in for a grant of \$4,000 although it is not a county town. I say it is simply a disgrace to the management of this part of the public business that it should be conducted in this manner.

Mr. BOWELL. I should like to know if the hon. gentleman has any knowledge of any promises that I made, directly or indirectly, when I was visiting his county in reference to public buildings? I am not responsible for anything that other people may say, nor am I responsible for the nonsense talked by the hon. gentleman. I know nothing of the purchase of any lot, and I made no promises.

Mr. PLATT. It is simply a remarkable coincidence.

Mr. BOWELL. I do not know anything about any coincidence. You may be judging other people by yourself.

Mr. JONES. What is this vote of \$75,000 for the Government printing bureau for? Is it for the machinery?

Sir HECTOR LANGEVIN. This is for the building.

Sir RICHARD CARTWRIGHT. Where is this to be erected?

Sir HECTOR LANGEVIN. On the banks of the canal, in rear of the City Hall.

Mr. JONES. I am going to make a suggestion, which probably will not be acted upon, in connection with this public printing. I think the people of this country must be very much interested in the legislation, and at present they have no more idea of the business which goes on in this House than they have of the business going on at Washington or in London. We find sometimes, when the right hon. gentleman makes a speech on an important subject, that the speech is copied in the *Toronto Globe* and possibly in the *Montreal Herald*, but, if any other hon. gentleman, no matter how prominent he may be, makes a speech on the ordinary questions of the day, it is not copied in the papers of the other side. Consequently, the information regarding the legislation of the country, the reasons which the Government may have for the policy they are pursuing or the views of the Opposition on the other hand, are not laid fairly before the people. I think it would be in the interest of the country, if the Government are establishing a bureau of printing, to make an arrangement whereby additional copies of the *Hansard* could be printed at that establishment and distributed free.

Mr. HESSON. Yes, you would like to see yours copied.

Mr. JONES. The hon. gentleman need not be afraid. I suppose he is afraid of having what he says in the House read elsewhere, but I will guarantee the hon. gentleman that the people would not take up much time in reading what he says. I think, if copies of the *Hansard* were distributed to the newspapers and by them free to their readers, it would be in the interest of good government in this country. I make this suggestion now, and I hope that at some time the Government may see their way clear to act upon it.

Mr. McMULLEN. In reference to this vote of \$4,000 for the Strathroy post office, Custom house, &c., I understand that Strathroy is not a county town. I understood that the Government had laid down the principle that they would not erect these buildings except in county towns. I have called their attention to three towns in my riding that have almost as much population as Strathroy, and I think there is the town of Listowell, in the riding represented by the hon. member for North Perth (Mr. Hesson), which is entitled to a post office if Strathroy is entitled to one.

Mr. HESSON. We will have that next year.

Mr. McMULLEN. It seems to me that the hon. gentleman is neglecting his duty in not pressing that on the Government. If the Government are going to lay down the principle that they will only erect post offices in towns where they will gain political support, we had better know it. If they will erect post offices only in cases where there is a protest entered, and their action is likely to strengthen

the chances of the member who supports the Government, the country had better know it. It appears that that is the course adopted. The hon. gentleman who represented the riding in which Strathroy is, in the last Parliament, is not here now. There is a protest, I believe, and to strengthen the prospects of the present member, the Government recommend a vote of \$4,000 to erect a post office there. If that is not the moving cause, why has the Government not erected a post office in the town of Listowell, in the county of North Perth, and in Mount Forest, which is a town of 2,500 or 3,000 of a population, a larger place than Strathroy? The whole thing is conducted on a miserable, rotten system.

Mr. ROOME. I have the honor to represent the county in which Strathroy is situated. I made application for this not in order to influence votes, but on the ground of right. I made no promises. I carried the election over the head of the gentleman who had represented the constituency by a majority of 105 honestly and fairly. I do not apprehend any particular result from the protest. If I should be unseated from any cause, in consequence of some of my supporters having been too strong and having done something they ought not to do, I can go back to my constituency and can be elected not only against the man I ran against before, but against any man in the county or out of it. I did not ask for this grant on that ground. I asked for it because I considered we were entitled to it. Strathroy is a town with a population of 4,300, and I found that there were eight towns in Ontario and Quebec, leaving out the Lower Provinces, which had received post offices in the last two years having no more population. I thought that, when the Government were expending money for other counties, the county I represent, and the town in that county which is now referred to, were entitled also to consideration. I, therefore, made the application, and the Government have granted it on no other ground than justice and fairness.

Mr. HESSON. I should feel grateful to my hon. friend from North Wellington (Mr. McMullen), for taking such an interest in my county, but it is so characteristic of him to take an interest all round that I suppose it is a matter of course. I may say, for the information of my hon. friend, that I can look after the interest of my county without any assistance from outside. Though his suggestion was offered in a friendly manner, I do not believe it was intended in that sense. If I had pressed the Government to erect a post office in the town of Listowell, which is a thriving and prosperous town, a progressive town, and if the Government had put a sum in the Estimates for the post office there, the hon. gentleman would have been the first to have stated that I had approached the Government in order to strengthen myself in my constituency. I have prudence enough to know how to manage my own affairs, and I shall take good care that the town of Listowell is not neglected in this distribution, not of favors, but of right.

Mr. McMULLEN. Mr. Speaker, —

Some hon. MEMBERS. Oh.

Mr. McMULLEN. I am going to stand here as long as I feel inclined.

Some hon. MEMBERS. Question.

Mr. McMULLEN. You had better keep your mouth shut. I want to say, with regard to remarks which dropped from the hon. member, that I have no objection to his applying for a post office for his town of Strathroy. I commend him for doing so and for pressing upon the Government to grant it. The complaint is this: that the Government have in the past laid down a plan for the erection of post offices in Canada, and that now they appear to have departed from it. It appears to me that the Gov-

Mr. McMULLEN.

ernment always make the grants on certain grounds, which grounds are that they will tend to strengthen the party which supports them in that particular section. We are talking now with regard to Strathroy; we had Cayuga a few moments ago, and I presume the post office was established in the latter place for the same reason as at Strathroy. I am sure if the hon. member for North Perth (Mr. Hesson) wanted a post office at Listowell, with his well known influence with the Government he would only have to ask for it to get it. I know he has a great many warm friends there, and I am sure they would be glad if he would exert his great influence with the Government to get a post office at Listowell.

Mr. HESSON. When the Government desires to build a post office in Listowell, it will not be upon the suggestion of the hon. gentleman.

Mr. LISTER. So far as Listowell is concerned, I think that for a few years, at all events, it ought to take a back seat and look forward to getting a post office. I have a word or two to say about these public buildings. I am not impugning the motive of the Government at all in erecting post offices in different sections of the country, but I think some rule should be laid down. Of course it is the duty of the Government to erect these public buildings in cities, and I think next to the cities the leading towns of the country should have these advantages before the smaller places are favored. Of course, the cities have them now, and many of the county towns throughout the country also have them, but there are many large county towns in the Province of Ontario that are not served at all with public buildings, much to the disadvantage of the people. I do not blame the hon. member for Haldimand (Mr. Montague) for getting a post office in Cayuga. I understand there are a couple of villages or towns in that county larger than this one, and if it is entitled to a post office, they have a greater claim. There is also Gananoque, where the hon. member for Leeds (Mr. Taylor) has succeeded in getting a public building. Almonte, a comparatively small place, has a public building. On looking over a return I asked for a couple of years ago, I find that a large number of towns, with a very small population, have had considerable sums expended on them in the way of public buildings. Now, I do not think that is right. Whether the Government do it for the purpose of securing support or not, this is a matter entirely in the public interest. The principal places in the country should first have these public buildings. My hon. friend has spoken about Sarnia. That is a place of over 6,000 inhabitants, and it has not a public building. It is the distributing point for mails in all directions, east, north and south. It is a place that yields a very considerable revenue to the Government indeed, and it is a place that ought to receive some consideration in respect to public buildings. I hope that it is not to be deprived of public buildings simply because it returns a member in opposition to the Government, because in that case I fear it will remain without public buildings as long as the right hon. gentleman leads the Government. I live in the hope, however, that within a few years, if not a few months, our places will be changed, and that then justice will be done to Sarnia.

Mr. MILLS (Bothwell). We have here two pages of the Estimates for public buildings, amounting to several hundred thousand dollars, and I do not see one constituency here mentioned where these buildings are to be erected, that is represented by a member on this side of the House. I think this principle runs through the whole of these Estimates, that the hon. gentleman treats the public revenues of the country as the private patronage of the party, instead of undertaking to serve the public interest and to expend this money where the public interest demands. It is plainly spent with a view of promoting the interests of the party and strengthening this or that hon. member in his consti-

tuency. Now, when the hon. member for East York was at the head of the Government, he acted upon the principle, in the erection of public buildings, that the places that yielded the largest revenues for the purpose to which the building was being erected, should first be supplied. That principle, I believe, was uniformly adhered to. But when the hon. gentlemen opposite came in we find little places like Sussex, down in the constituency of the Minister of Marine and Fisheries, and Cayuga, and other small places, enjoying the expenditure of a large sum of public money, while larger places, where the public interest demand an expenditure of this kind, are entirely overlooked.

North-West Territories..... \$110,000

Sir RICHARD CARTWRIGHT. North-West Mounted Police buildings, \$100,000. Where are these buildings to be erected?

Sir HECTOR LANGEVIN. The buildings that existed previous to the increase of the force from 500 to 1,000, were only temporary buildings made of logs and clay. When I visited them three years ago they were all tumbling down. The idea at that time was to erect cheap buildings, because we did not know where the barracks would be finally built. These buildings will be built at Regina, Calgary, Fort McLeod, Lothbridge, Medicine Hat, Maple Creek, frontier outposts, Touchwood Hills, Battleford, Fort Saskatchewan, Prince Albert.

Mr. MITCHELL. Lieutenant Governor's residence, repairs, \$3,000. On whose recommendation was this amount put in? I had the honor of visiting him two years ago, and I thought the building was quite good enough.

Sir HECTOR LANGEVIN. The hon. gentleman had no time to look over the building as I did. The building is a very poor building. The question was whether we should not ask a very much larger sum this year to build a proper building for a Lieutenant Governor. The present is a very cold building, and was really erected as a temporary residence; and certainly before a year or two have elapsed we shall have to come down and ask a sum for a new building.

Mr. DAVIN. The building is wholly unfit for a Governor's residence, and it is only because Governor Dewdney is accustomed to frontier life that he is enabled to live in such a house; and the time cannot be far distant when a proper residence will have to be built.

Mr. MITCHELL. I take the sample as like the stock; not only the building will have to be replaced shortly but also the Governor.

Mr. JONES. The hon. gentleman mentioned several places at which it was contemplated to erect police barracks; will this vote pay for the whole?

Sir HECTOR LANGEVIN. No, it is only a commencement. I think \$75,000 or \$100,000 more will be required.

Mr. CHARLTON. This appears to be a very large sum for the housing of about 1,000 troops. As elaborate buildings are not required, I thought the present vote a rather large sum; and I trust that proper economy will be exercised in these expenditures. I hope the Government will not indulge in the erection of elegant buildings, but bear in mind that they need be of only a temporary character, as we will not require the police there for many years.

Buildings and grounds..... \$33,500

Mr. JONES. Why should we pay money for the maintenance of Major's Hill park? We are doing a good deal for Ottawa. We have purchased the Orange hall, we have agreed to build a fire brigade station, and now we are called on to vote money for the park.

Mr. CHARLTON. Major's Hill is certainly a very beautiful spot, and I only regret that the financial state of the

country is not such as to enable us to expend much money there, for it is an ornament to the city. Our public grounds are becoming more and more beautiful, and the plan the Government have evidently adopted is no doubt correct, but they need to exercise economy in these matters.

Sir HECTOR LANGEVIN. We have been endeavoring to put the grounds at Major's Hill in good order. There are two hollows there, and when we get the water in it will improve the appearance. I have not had much money to expend, but we ask for small amounts each year, and are thus getting the work done by degrees.

Harbors and Rivers, Nova Scotia \$126,912 98

Mr. MITCHELL. The first item is one involving an important principle, and I should like the Minister to state if it has been applied to the other Provinces. The vote reads:

Refund to the Government of Nova Scotia of expenditure incurred by them since 1st July, 1867, in connection with piers, breakwaters, public wharves, &c. considered to be of Federal importance..... \$71,512 98

Has the same principle been applied to the Province of New Brunswick, because, if it has, I think we shall require further Supplementary Estimates to pay us for the money expended on breakwaters and other works.

Sir HECTOR LANGEVIN. This vote is for the purpose of recouping the Nova Scotia Government for payments on works of Federal importance. The Nova Scotia Government claimed that since Confederation they have expended large sums on public wharves, Federal wharves in reality, and, therefore, they asked to be reimbursed those amounts. They made a much larger claim than this is, and the Chief Engineer of the Department investigated the claim, and the result was a report showing the number of piers and breakwaters and works that can really be looked upon as Federal works. The others were considered as merely local works, and the cost could not be assumed by the Government. The expenditure made on those works considered to be Federal works was shown by proper vouchers to have been made.

Mr. MITCHELL. What I asked was whether the same principle had been applied to the Province of New Brunswick? If no, I think it should be applied; and we would like to know whether the hon. gentleman is going to apply the same principle to the other Provinces.

Sir HECTOR LANGEVIN. No such demand has been made by the New Brunswick Government, and I am pretty sure that they are not in the same position as the Nova Scotia Government, because this is an expenditure made by the Government in Nova Scotia since the 1st of July, 1867. If the New Brunswick Government have some breakwaters under the same circumstances, and if they make as good a case as Nova Scotia, I have no doubt they would be treated equally.

Mr. MITCHELL. I know all about the principle, and this is not the first time that application has been made for monies in connection with the wharves throughout Nova Scotia. I call attention to the fact that there are in New Brunswick similar wharves which ought to be declared Federal works, and on which the public money of New Brunswick has been expended; and the hon. gentleman may rely upon it that now that we know this principle is going to be applied New Brunswick will make an application. I think the Local Ministry are very remiss in not having done it, because as it is the first time that we have had this principle applied,—

Sir CHARLES TUPPER. No, it was applied in Prince Edward Island before.

Mr. MITCHELL. Prince Edward Island always gets the start

Sir RICHARD CARTWRIGHT. How does the hon. gentleman's Department define those words "of Federal importance?" They may be confined to large works, or extended to works of the most infinitesimal character.

Sir HECTOR LANGEVIN. Of course each work had to be examined specially for that purpose. For example, if it is a shipping place, if it is a breakwater that forms a shelter for vessels, it is considered a Federal work, and so with important piers, and so on.

Sir RICHARD CARTWRIGHT. Does the Department lay down any qualification as to the size of the vessels? This a matter of considerable importance, because, unless a pretty stringent rule is laid down, it is clear that they will be extended *ad infinitum*.

Sir HECTOR LANGEVIN. No, it cannot, because all these piers have been examined and this selection made. The others are left to the local authorities, so that this closes the matter altogether.

Mr. DAVIES (P.E.I.) I do not think that any arbitrary rule can be laid down. It must be left to some extent to the judgment of the gentleman who does the inspection. The hon. member for Northumberland (Mr. Mitchell), is no doubt speaking in the interest of the Province of New Brunswick, but if he is he will not urge the Dominion Government to take over those piers. The best of our piers were taken over some years ago. The Government does not pretend to keep them in repair, and the result is that the people are without the accommodation that they used to have, and the hon. gentleman at the same time has largely increased the fees which were formerly exacted. It has not been a boon to the people, though it was a boon to the Local Government of that time, who were deeply in debt, and whom the hon. gentleman wished to assist.

Mr. JONES. The expenditure in the case of Nova Scotia is somewhat different from the wharves referred to by the hon. member for Queen's, P.E.I. (Mr. Davies), as it is for breakwaters, for the protection of our commerce, all round our coast, rather than for the accommodation of the ordinary business of the country.

Mr. MITCHELL. I think it is outrageous that among all the millions which are being spent for this service the single application which I made for my county, and which was promised three years ago, should be rejected. I hope the Minister will reconsider this vote and put in \$3,000 for Neguac.

Harbors and Rivers, Ontario \$87,300

Mr. LISTER. I would remind the hon. Minister of Public Works of an interview which I had with him the other day, respecting a sand bar on the River St. Clair, opposite Point Edward. Since I spoke to him on the subject, a vessel loaded with coal struck on the sand bar, and her owners were put to great expense in getting her off, and, in addition, the vessel which helped to take her off the bar was seized by the Customs authorities. This sand bar has been getting larger day after a day and week after week, until it is now an absolute danger to navigation.

Sir HECTOR LANGEVIN. I have not lost sight of that and am taking measures with regard to it.

Mr. MILLS (Bothwell). I think this expenditure of \$5,800 for settlement of claims for damages to property on McGregor's and Little Bear's Creeks is one that the Committee will do well to consider. I may say, for the information of the Committee, that, at the urgent solicitation of the former member

Sir CHARLES TUPPER.

for the county of Kent, the Government undertook to make improvements in McGregor's Creek, a small tributary of the River Thames at the town of Chatham. They undertook to deepen that creek by dredging it. The result was that the banks of the creek caved in and loosened the foundations of some buildings in the main street, without in the slightest degree improving the navigation of the creek, which was really of no value and could not be improved. The Government now come down and ask for \$2,300 to pay for damages which they caused in that way.

Mr. WILSON (Elgin). I would like to call the Minister's attention to the fact that the harbor at Port Stanley is not in a good condition. The railway company are not taking that interest in it that they are bound by their agreement to do, and it is rapidly filling up. I am not asking the Government to incur any expense. All I wish is that they should insist on the railway company expending the full amount that they collect by way of harbor tolls, and carry out the agreement they made with the Government when they took possession of the harbor.

Mr. CASEY. I can corroborate the statement of my hon. friend with regard to Port Stanley. It is just on the boundary—between our ridings. I examined the harbor carefully last summer, and I found that the harbor was filling up so rapidly that vessels had not room to turn around in the basin, which fills up with mud every spring from the creek that runs through it. The piers are also becoming very rotten, and the whole harbor is in a most ruinous condition. The railway company, as my hon. friend states, have a lease of the harbor from the Government, and are bound to spend all the revenues of the harbor in keeping it in repair. I am afraid they have not done so. But the revenues of the harbor have run down of late, owing to two causes—first, the National Policy, which has stopped the importation of fruit at Port Stanley, and, secondly, to the policy of the railway company who have stopped the importation of coal, which used to go that way to London, and force it to take the long haul to London from Detroit. It is the duty of the Government to see that the agreement is carried out, and if the revenues of the harbor are not sufficient to keep it in repair, it is the duty of the Government to see that enough is expended to place it in proper condition.

Slides and Booms \$11,400

Mr. CHARLTON. I beg to call the attention of the Minister of Public Works to the appropriation of \$2,000 for Quinze Rapids on the Upper Ottawa. This sum is entirely insufficient to accomplish any useful purpose. I do not know whether the hon. gentleman is acquainted with the locality or the necessity of improvements there. These rapids form the only obstruction to navigation between Grand Lake and Lake Témiscamingue, and the opening of that stretch would open a great timber expanse of the Upper Ottawa. The work is a very important one, and it would take five or six times as much as this vote to accomplish the object.

Sir HECTOR LANGEVIN. Some \$3,000 or \$4,000 were expended there two years ago, and I was under the impression that this additional sum of \$2,000 would be sufficient. But I have had representations made to me since these Estimates have been laid before the House, and I see that instead of this being sufficient for the work, it may require \$10,000 or \$12,000. However, if we see that more is required, we can arrange it for next Session.

Mr. BRYSON. This is a matter of great importance to the lumbermen in that section of the country. As the hon. member for North Norfolk has pointed out, these rapids form the only obstruction in the Ottawa River between

Lake Témiscamingue and the sources of the Ottawa, and by opening up that he would facilitate the passage of timber all the way from Grand Lake to Lake Témiscamingue, opening up 2,000 or 3,000 miles of territory which is now held under timber license. The lumbermen of that section will be making demands on the Minister at an early date to see that it is improved.

Sir RICHARD CARTWRIGHT. What is this vote of \$400 to pay Mr. Palen for work done on the Gatineau booms in 1874?

Sir HECTOR LANGEVIN. This matter was investigated by the Senate, and a report was made by a committee of the Senate, expressing the opinion that Mr. Palen should be paid. He has received only \$600, and the Auditor General thought we should have a vote to pay the balance.

Sir RICHARD CARTWRIGHT. I think it is a very doubtful and questionable thing that the money of the country could be paid on the recommendation of the Senate. I do not think the Senate have any business to investigate claims against the public. That ought to be done, if done at all, by the Government. Although the subject is a small one, hardly worth noticing, I object that a Senate committee should sit on claims against the Government, and that, on its report, even so small an amount should be paid. They are travelling out of their jurisdiction in acting as a committee of investigation, or rather as a court of claim, for the Dominion.

Sir HECTOR LANGEVIN. The Government, after looking into this matter, paid \$600 several years ago, believing that the amount was due, and after looking at it since, finding \$400 were not paid and were due, they put this item in the Estimates.

For repairs to hull and engine of steamer *Northern Light* and a new boiler.....\$20,000

Mr. DAVIES (P. E. I.) The Government should build a new steamer and not patch up this vessel. It will be a great disappointment to the whole Province that this old steamer should be again put on the route.

Mr. FOSTER. My officers report that when she is repaired she will be as good as now.

Mr. DAVIES. That is not possible. The Local Government, who are in accord with the Government of the Dominion, have presented a claim for some millions of dollars, because the Dominion Government have not carried out their contract as regards the *Northern Light*. It is all nonsense for the Government to talk of carrying out the contract as they did in the past, because the *Northern Light* is not fitted for the work. This shows a lamentable want of energy on the part of the Government.

Supplement to Revised Statutes..... \$1,500

Mr. MILLS (Bothwell). That makes the cost of the Revised Statutes over \$100,000.

Mr. THOMPSON. This is not in connection with the Revised Statutes which have already appeared, but in connection with the other volume which is nearly ready.

Roads, bridges, &c., at the Hot Springs reservation near Banff Station, N. W. T..... \$15,000

Mr. DAVIES (P. E. I.) Is that additional?

Mr. WHITE (Cardwell). It is for next year. The superintendent asked for much more, but we are taking a vote practically for the construction of a road to Devil's Head Lake, a distance of seven miles.

Clothing and maintenance of patients from the North-West Territories in the Manitoba Asylum for the insane..... \$4,788

Mr. DAVIES (P. E. I.) How is this estimate arrived at? Is it so much per head?

Mr. WHITE (Cardwell). From 1877 to 1885-86 the smallest amount appropriated in any year for the government of Keewatin was \$5,000. For several years a considerable proportion of this sum was found to be requisite for service; and at the suggestion of the Auditor General it was cut down to \$1,500. If the accounts, to pay which this item is necessary, had been rendered promptly the appropriation would not have been reduced in the manner mentioned—at least for 1886-87. There has been, however, a great increase in the number of insane patients from the District of Keewatin in the Manitoba Asylum, there having been nine during the year 1885-86, and eleven during the current year 1886-87. It may be mentioned that up to the 20th of February, 1885, these patients were confined and treated in the lunatic ward of the Manitoba Penitentiary; but since that time they have been maintained in the Manitoba Asylum for the Insane.

Mr. MILLS (Bothwell). We ought to have some further information on this subject, for really I do not know where the hon. gentleman gets his inhabitants. There are no people in the district of Keewatin, as far as I know, except the Indian population. The white population of that district were at the settlement of Rat Portage, which is now in the Province of Ontario, and at the Icelandic settlement at Gimli which is now included in Manitoba since the extension of the boundaries. Now, there is not a single white settlement in Keewatin.

Mr. WHITE (Cardwell). I suppose the hon. gentleman knows that there are half-breed is there.

Mr. MILLS (Bothwell). I do not.

Dr. Rand's Micmac Dictionary.....\$1,000

Sir RICHARD CARTWRIGHT. What has that cost us altogether?

Sir CHARLES TUPPER. There was \$1,000 voted before, and this is to complete the publication of the work.

Sir RICHARD CARTWRIGHT. It may have an anti-quarian interest.

Histoire Géologique des Familles Françaises\$1,000

Mr. DAVIES. What is that? What is the public interest in that?

Sir HECTOR LANGEVIN. That has been published for the last four years. It is a work on the origins of the French Canadians, published by the Abbé Tanguay. It is a work of great merit, and Parliament has voted \$1,000 for the publication of each volume. I have no doubt, if the hon. gentleman looks at the work itself, he will see its value.

Sir JOHN A. MACDONALD. It is a very interesting collection.

Mr. PLATT. It may be an interesting collection, but are those who read and receive that work not able to pay for it themselves? There appears to be some \$4,000 or \$5,000 paid for printing these works, and it seems to me that it is simply a sop to the printers or publishers, as the public have no interest in these works.

Bartlett's work on the coal and iron productions of the Dominion, 1,500 copies..... \$1,000

Mr. JONES. What is this?

Sir CHARLES TUPPER. This is a work which has been distributed. 750 copies have been distributed, and the rest will be distributed.

Mr. JONES. If it was intended to convince the people that there would be an advantage in increasing the iron duties, 50, or 60, or 70 per cent., I think it should be paid for by those in whose interests it was made.

Sir CHARLES TUPPER. If the hon. gentleman will read this work it will satisfy him that it contains a great deal of information. A thousand dollars barely covers the cost of printing, the compiler receives nothing whatever.

Sir RICHARD CARTWRIGHT. What I have seen of this work does not impress me very highly. It struck me as being simply a puff or advertising of divers coal and iron mines, and not written in a way calculated to impress persons of sober judgment with a great opinion of the author's services. If this is to be paid for, it ought to be paid by the owners of coal and iron mines.

Mr. BROWN. A number of my constituents have applied to me for copies of that book, and after having received it they pronounced it one of the most valuable works in connection with the iron industries, that has ever been produced in Canada. I have to bear testimony on behalf of men who do use their sober judgment in Hamilton, a city having large industries in iron.

Sir CHARLES TUPPER. I dare say that men who are going to make 100 per cent. out of the duties which have been imposed, will regard the book as very valuable.

To pay Mr. Dunscomb, services rendered in connection with the search and seizure of the *Atalaya* in 1870.....\$490 06

Sir RICHARD CARTWRIGHT. This goes back for 17 years. I know Mr. Dunscomb to be a good officer, and I dare say there may be some justification for it, but to go back 17 years to pay a claim does appear to me out of reason.

Sir CHARLES TUPPER. If it is due, the sooner it is paid the better.

Sir RICHARD CARTWRIGHT. If this claim was just, it should have been investigated and paid before.

Sir CHARLES TUPPER. He has been trying to get it from the Imperial Government.

Mr. THOMPSON. I may explain that the services of Mr. Dunscomb were rendered under the direction of one of my predecessors. I think there is a mistake in the date, 1870 should be 1879, because he was directed to perform these duties by the present Chief Justice of Nova Scotia. The circumstances were that direction came from the Imperial Government to have this ship and her cargo seized. Mr. Dunscomb was entrusted with that duty, and in discharging that duty, and during the detention of the vessel and cargo, he incurred a very considerable amount of expense.

Sir JOHN A. MACDONALD. There was a Spanish vessel believed to be fitted out as a filibuster to attack Cuba.

Sir RICHARD CARTWRIGHT. I remember the case now. But certainly the estimate ought to be more carefully drawn.

Mr. THOMPSON. After a considerable time Mr. Dunscomb was paid by the Imperial Government for searching the vessel, but he was paid nothing in interest on those disbursements that he had made, and nothing for his own services.

Territorial Accounts..... \$524,754 45

Sir RICHARD CARTWRIGHT. Grant to officers of the Department of Militia and Defence for extra services in the rebellion, \$2,925—What are the circumstances under which the hon. gentleman recommends this?

Sir ADOLPHE CARON. I need not recall to the memory of hon. members that these officers during the troubles worked very hard indeed, and rendered services which require some recognition. I made a recommendation to

Mr. JONES.

Council asking that three months' extra salary be paid those different officers whose names appeared in the Estimates.

Mr. JONES. Is it for the present year or last year?

Sir CHARLES TUPPER. For next year.

Mr. JONES. The services in connection with the North-West rebellion are now over.

Sir ADOLPHE CARON. I waited after they were over to propose this recommendation.

Mr. JONES. Was there any vote previous to this?

Sir ADOLPHE CARON. No.

Mr. MILLS (Bothwell). The hon. gentleman should tell the Committee how the sum of \$513,000 is to be expended. We have had a great many final settlements as regards the North-West rebellion, and yet we are now asked to vote upwards of half a million dollars at three o'clock in the morning.

Mr. WHITE (Cardwell). The hon. gentleman knows that a commission was appointed to enquire into the losses of settlers and merchants arising out of the rebellion. The commission visited various parts of the North-West. They have prepared their report—I have not received the full report, although I have received a preliminary report. The applications before them amounted to \$1,250,000. They have gone very carefully over them upon principles which they have laid down, and they have determined that this amount of \$513,000 should be paid as losses suffered by merchants and settlers.

Mr. JONES. Is this final?

Mr. WHITE (Cardwell). This is final. The only reason why we do not bring down the list is, that I think we should have an opportunity of looking at the report before the figures are given; but the moment the report is received the statement will be submitted to Council, and the amounts will be paid in the ordinary way.

Mr. MILLS. That report ought to have been submitted to this House. This is a large appropriation and the House is called upon to assume the responsibility of making it.

Mr. WHITE (Cardwell). I have done my best to obtain the report, but it is not desirable to submit the preliminary list until I have had an opportunity of going over the evidence and ascertaining on what principle the commission have acted.

Publication of Proceedings of the Royal Society..... \$5,000

Mr. DAVIES. I do not think there are \$5,000 in the whole Estimates more thrown away than is this money.

Mr. MITCHELL. They say there was a little history about this matter. At first the item was omitted, but a good deal of pressure was brought to bear on the Government to have it inserted.

Committee rose and reported resolutions.

Sir JOHN A. MACDONALD moved that when the House adjourns it stand adjourned until 10:30 to day (Thursday).

Motion agreed to.

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

Motion agreed to, and House adjourned at 3:10 a.m. (Thursday).

HOUSE OF COMMONS.

THURSDAY, 23rd June, 1887.

The SPEAKER took the Chair at 10.30 a.m.

PRAYERS.

REPORTS OF THE DEBATES OF THE HOUSE.

Mr. COLBY moved the adoption of the first and second reports of the Joint Committee of the Library. He said: The chief recommendation of the committee—I was engaged in other committees at the time and was not able to attend it—was that the reports of the House prior to the publication of *Hansard*, which now exists in a permanent form, be gathered together and reprinted, and that the whole series of *Hansard* be indexed from the commencement after that publication has been done.

Sir HECTOR LANGEVIN. Is there any recommendation in the report about the reorganisation of the staff?

Mr. COLBY. No.

Mr. SCRIVER. I understand the cost of indexing will be \$10,000, besides the cost of printing the volumes.

Sir HECTOR LANGEVIN. There is no item in the Supply Bill to cover this proposed expenditure. It is not customary for the House to adopt a report which involves the expenditure of money without the recommendation of the Crown. If we adopt the report the result will be an expenditure of probably \$10,000.

Mr. SCRIVER. For indexing alone.

Sir HECTOR LANGEVIN. Under these circumstances, it would be better to leave the adoption of the report over. No harm would be done by waiting a few months, and then the Government, after considering the matter during recess, might come down next Session with a vote for this purpose.

Mr. SPEAKER. At the last meeting of the committee it was ascertained that the cost of indexing would be about \$2,700—we had a tender for that sum—and the printing of the portion of *Hansard* from 1867 to 1874, which is now in scrap book form, would cost from \$6,000 to \$7,000. So that the total cost would be about \$10,000.

Mr. SCRIVER. That was the cost of indexing.

Mr. SPEAKER. Not only for the indexing, but for the printing of the *Hansard* itself.

Mr. SCRIVER. I did not understand that.

Sir HECTOR LANGEVIN. The report of the Joint Committee on the Library is now before the House. We now know exactly what the suggestions are. It will be the better course to let it stand, and it will be sufficient notice to the Government, if they think a vote should be asked from Parliament for that purpose, to bring a vote down next Session. This is the course generally followed when it involves a sum of money.

ENQUIRIES FOR RETURNS.

Mr. PERLEY (Assiniboia). In an early stage of this Session I asked for a certain return of lands sold by the Canadian Pacific Railway Company, to certain parties in the North-West Territories. I have been unable to obtain that return, and it is now too late to serve the purpose I intended. I wish to impress upon the Minister the very great importance of this matter, and to ask him to have it brought down

this Session. It is no child's play; I am not asking the question or moving in the matter for the purpose of securing popularity, but for the purpose of relieving a very great wrong and injustice to the people of that country.

Mr. MITCHELL. I asked for some information the other day from the Minister of Marine and Fisheries. He promised to let me know the causes of the discharge of William Dalton, and through whose influence he was discharged.

Mr. FOSTER. I have not anything to add particularly to what I said yesterday. Dalton was simply a temporary employé. For several years he had been sent down to the lightship on the Miramichi river, and he received so much per day for his work. This year there were other applicants as well as Dalton. In some way or other, without my knowledge, Dalton received orders to go to the lightship. Afterwards I had the order recalled, and the order was recalled before Dalton got to the lightship.

Mr. MITCHELL. By whose influence was Dalton discharged?

Mr. FOSTER. That was a departmental matter. I take the responsibility on myself.

Mr. MITCHELL. Was there any fault found with Dalton?

Mr. FOSTER. I do not think there was.

Mr. MITCHELL. I want to know who is at the bottom of it.

Mr. FOSTER. I suppose I will have to look upon myself as responsible for it.

Mr. MITCHELL. I quite understand that. But I want to know upon whose recommendation Dalton was recalled from service after having had for ten days orders to go?

Mr. FOSTER. I do not think it is necessary to mention the recommendation.

Mr. MITCHELL. I think it is. Hon. members are entitled to this information, and I think I have a right to it.

Mr. FOSTER. If the hon. gentleman will put a notice on the paper next Session I will bring down the papers connected with the matter.

Mr. MITCHELL. I will, if I am here. The House should have that information. I have treated the hon. gentleman fairly and I am entitled to the information. The Minister may take the responsibility of refusing the papers now if he likes.

SUBSIDIES IN AID OF RAILWAYS.

Mr. POPE moved that the House resolve itself into Committee to consider certain proposed resolutions (p. 1,142) respecting the granting of subsidies to railway companies, and towards the construction of railways therein mentioned.

Sir RICHARD CARTWRIGHT. I presume that the hon. gentleman is prepared with the information we have several times asked for, and which has been very imperfectly furnished, regarding the names of the parties applying, and the other information upon which he is proceeding in making these grants.

Mr. POPE. The applications have been laid on the Table, and I will give the information on each item as far as I can when it comes before the committee.

Motion agreed to, and House resolved itself into Committee.

(In the Committee.)

Mr. POPE. I have every confidence that the principle of granting these subsidies, which has been approved of time and again by this House, will be approved of on this occasion, and for that reason it is unnecessary for me to make many general remarks upon these grants. The Government found themselves in this position: that they were asked for very large amounts and were able only to give very little in comparison to the amount asked. The larger portion of the grants are for the extension of roads already begun, or incomplete, or to make connecting links, or to enable roads to get longer distances. When this system was adopted in 1882, it was stated that our object was to build interprovincial roads, or long lines of railway that naturally, as we thought, came under the jurisdiction of this Parliament. We have gradually extended that system, and I have come to the opinion that the Local Governments ought not to involve themselves in giving subsidies very largely to railways; and we have felt that that duty devolved upon us, as far as we could fulfil it, of aiding not only the longer or interprovincial lines, but the local roads. For instance, in the Province of Quebec this system has been found to be of very great advantage, in opening up new fields for settlement, as the people there will not go to the great North-West, but would rather go to the manufacturing centres of New England. Under these circumstances, I think it is unnecessary to go further into the general question.

Mr. McMULLEN. I have to express my regret that the Government have decided to continue, in a new Parliament, the policy of subsidising short lines of railway, in the present financial condition of the country, when every sensible man must see that these grants will lead to increased taxation and increased debt; and, after having had two deficits in succession, I say it is imprudent on the part of the Government to start out on this career of demoralisation which is going to be inaugurated by these resolutions. The object of the Government undoubtedly is to delude the electors, particularly in constituencies where protests have been entered, into the belief that it is in their interest to support the Government. The Government has even got down so far as to subsidise lines $1\frac{1}{2}$ miles long. Though I admit that it would be reasonable and desirable that the country should be opened up, and that railways should be aided where at present there is no railway accommodation at all, I think that in many of these places where there is competition already, this is a barefaced act on the part of the Government to try and control the constituencies from year to year. I notice there are 38 roads altogether, and of these there are thirteen under 12 miles, and seven of 6 miles and under. We have come to such a point that if a man wants a short road to his mill or factory, he will only have to apply to the Finance Minister for aid, and no doubt, if he could show that it would aid in the support of the Government, I have no doubt it would be granted. This policy of granting aid to these short lines, in our present financial condition, shows to what desperation the hon. gentlemen are driven. When the Ontario Government inaugurated the policy of granting aid to railways, they laid down the condition that the roads should not run where there was accommodation already, and that there should be a certain local financial basis for those railways. They would not give any aid, nor would they countenance any scheme that did not first show a financial basis in the shape of municipal aid. That was a prudent course to adopt, but we find a different course adopted here. A man comes from a constituency in which he has a narrow majority, and he gets up a railway scheme—some branch of an existing system, some little switch or some little job of that sort—and he comes to the Government and asks them for aid for that scheme in order to strengthen his prospects in the con-

Mr. POPE.

stituency. Constituency after constituency is treated in this way. We have had in Parliament this year an exhibition that ought to be sufficient to open the eyes of any beholder. Any member who had a charter on hand received the consideration of the Railway Committee and the House; in many cases charters have been granted that did not stipulate from what point the proposed railway was intended to start, where it was going to, or what particular district the road was intended to traverse. I am glad to know that a change is to be made in that practice, and that the House will not be asked in future to put up with the indefiniteness with which we have granted charters during the present year. I have no doubt that many of these schemes are intended to secure competition, if possible; but in many such cases subsidies are sought in order to secure competition which the trade of the district is not sufficient to sustain. In many cases the trade is not sufficient to pay the running expenses of the existing road. No doubt the two great competing lines of this country are very anxious to reach points where perhaps one has the control of the trade. I know a place myself where there are two competing lines, and yet you cannot ship a car load of stuff from that competing point east or west at as low a rate as you can from points where there is no competition. I know several cases of this kind in western Ontario. So it cannot be for the sake of competition that the Government are adopting this system, but because they consider it necessary, in their own interest, for the sake of their political life, to strengthen their small majority in every way they can, and it does not matter to them how much they add to the debt of the country so long as we can borrow, and so long as the people will bear the burden of the additional taxes which they lay upon them. The people of this country have been deceived and misled. They were deceived in the last election, and they were deceived prior to the last election. This system of granting aid to all sorts of railway schemes was introduced years ago for the purpose of deceiving the people. During the last election representations were made by hon. gentlemen opposite which were not sustained by facts. The hon. Minister of Interior came to my own constituency and made a statement that the facts would not bear out. He stated that the net debt was \$196,000,000, when it was really \$223,000,000. He stated in my own town that the *per capita* interest was \$1.65, and made a comparison with the *per capita* interest that existed at the time of the Mackenzie Government. I know, and he knows in his own soul, that the statement he made on that occasion was not true. He tried to mislead the people of this country.

Some hon. MEMBERS. Order.

The CHAIRMAN. That language is not admissible.

Sir JOHN A. MACDONALD. The hon. gentleman says that a member made a statement that he knows is not true. That is not in order.

Mr. McMULLEN. He made it outside of the House. I make the statement in the House.

Sir JOHN A. MACDONALD. That makes no difference.

Mr. McMULLEN. I am quite willing to withdraw the statement.

Sir JOHN A. MACDONALD. Whether a statement is made outside or inside of the House, I hold that the hon. gentleman is bound by parliamentary rules, and I appeal to the Chairman.

Mr. McMULLEN. I was going to come within parliamentary rules if the hon. gentleman had let me.

Sir JOHN A. MACDONALD. I say the hon. gentleman is out of order, and I want your decision, Mr. Chairman.

Mr. McMULLEN. I withdraw the statement, and I am exceedingly sorry that the English language does not afford another to take its place. I was saying that the hon. gentleman had stated that the interest charged was \$1.65 per head at that date, when he should have said that it was over \$1.93 per head. I say that the recent elections were carried by statements which were not in accordance with facts, and the Government, in order to perpetuate their existence, are resorting to these railway schemes. If the Government, instead of increasing the indebtedness of the country, had asked this House to vote 10,000,000 acres of land in the North-West to provide for subsidies to companies that would undertake to build railways in the older Provinces where they are needed, I would not have had any serious objection to it. But they are not doing this. They are asking the people of this country to grant money for which they will have to submit to taxation. The hon. Minister of Finance has inaugurated a new tariff from which he no doubt expects to receive a very large revenue, and I have no doubt he will. I have no doubt he or his successor will come next year and will say: that he is very glad to announce to the House a large surplus, and from that he will contribute to the construction of more railways. But I say it is unfair to the farming community of this country, who are going to suffer severely under this tariff. I could not permit, without making my solemn protest against it, this system of debauchery which has been inaugurated by hon. gentlemen opposite to be carried on for the purpose of keeping the Government in power. It is evident Toryism will live in this country so long as the resources of the country are sufficient to buy out constituencies. So long as Toryism has existence, so long will the people have to submit to exactions to keep hon. gentlemen opposite where they are; but the people are beginning to wake up to this system, which is nothing short of a barefaced attempt to buy up constituencies and demoralise the people. We have been on the downward path since 1878. I know statements are made that the people are better off; but go into the country from township to township, and ask the farmers how they stand, and you will find they are beginning to realise they are not as well off as they were, and that there is something wrong somewhere. I admit hon. gentlemen opposite have been able in the past to draw the veil over the eyes of the people; they did so very successfully at the last elections, though I am confident that the hon. the First Minister, in his inner consciousness, expected on the 22nd February to be defeated. He knew that his course had been such as to merit condemnation at the hands of the people, and if it had not been for the deceit, treachery and fraud practiced by hon. gentlemen opposite on the people, they would not sit where they are now. Were it not for such schemes as the gerrymander scheme, the Franchise Bill and others, hon. gentlemen opposite would not be where they are. I enter my solemn protest—

Sir RICHARD CARTWRIGHT. I wish to call your attention, Mr. Chairman, to the extremely disorderly conduct of some hon. members opposite. My hon. friend is perfectly right. These things ought to have been presented to us for discussion at an earlier period, and he is undoubtedly justified in calling attention to the important facts connected with the financial position of the country, when we are about to grant large sums of money. If the First Minister and the Minister of Finance desire to facilitate business, they will join with me in insisting that order prevails; they ought to know from old experience, that my hon. friend is sure to say what he wants to say.

Sir JOHN A. MACDONALD. I quite agree with the hon. member for South Oxford that business will be expedited if the hon. gentleman is allowed to express his

views without interruption. We all want to get away; perhaps the hon. gentleman does not. There are limits to endurance. If the hon. gentleman uses insulting language, that does no good to anybody, that kind of language will be resented. It does no good, and certainly does not elevate the hon. gentleman in the opinion either of this House or of the people outside. I hope hon. gentlemen on this side will allow the hon. gentleman to make such remarks as he likes, after his own fashion, in his own eloquent way; and if he commits any parliamentary breach, to which he is rather inclined, I have no doubt you, Mr. Chairman, will keep him in order.

Mr. McMULLEN. I was about concluding my remarks, were it not for the interruptions. The hon. gentleman has referred to unparliamentary remarks. I am sorry to say politics have reached a point in the country that renders it almost impossible for a man to keep within the words admitted as parliamentary, and yet give expression to his views on the outrageous facts that come before us in the discussion of public business. In dealing with those facts and with the history of the hon. gentlemen opposite, it is difficult to refrain from using expressions that suit the circumstances, and which we are sorry to find parliamentary usage will not warrant. The course of the hon. gentlemen opposite in dealing with these subsidies is not a proper course under the circumstances. We have just emerged from a war within the North-West, yet in a few seconds we passed an amount of \$500,000 to balance the expenses connected with that unfortunate affair. From beginning to end, that affair showed that had hon. gentlemen opposite discharged their duty, the debt of the country would not be to-day within \$6,000,000 or \$8,000,000 of what it really is, and in order to hide from the people the true inwardness of the whole business, they pay money out of one pocket and put it in the other. A point has been reached in the history of this country that is to be deplored by every lover of his country. I must express my sincere regret, in the interests of this country, in the interests of the people who sent me here, in the interests of the generation who will come after us, that we are going to leave to a free country such a legacy of indebtedness, such an enormous burden, that it will weigh upon them and upon their resources for years and years after hon. gentlemen who are now here have ceased to discharge the duties they are now discharging; and, in place of those who follow us looking back with pride upon the past history of the country, they will mourn and bewail the unfortunate degradation and ruin that characterised the acts of those who are now discharging the duties of representatives of the people.

Some hon. MEMBERS. Hear, hear.

Sir RICHARD CARTWRIGHT. I am glad to see that the words of my hon. friend have had some effect even on the hardened consciences of hon. gentlemen opposite. I want to call the attention of the committee to the position in which we are placed on this side of the House. These resolutions were laid on the Table late on Tuesday night. On Tuesday night we were kept in committee up to about half-past three in the morning. Now, does any hon. gentleman suppose that members on this side of the House can, by any possibility, have had time to examine and study the bearing of the papers in regard to these railroads, when they were laid on the Table on Tuesday night, when we sat up to half-past three in the morning, and had to commence again at one o'clock yesterday and sit till three o'clock in the morning. There is some rule and some reason that ought to be observed in these things. I cannot pretend, I do not pretend, no human being will pretend on this side to discuss these proposals intelligently and fairly as they ought to be discussed. We will have to content ourselves with such scraps and such a modicum of information as

may be doled out to us by hon. gentlemen opposite, and we have no opportunity, nor has the country any opportunity to test the information given to us by hon. gentlemen in regard to these matters. That is not the way in which public business ought to be conducted, and I for one must protest against it and disclaim all responsibility about the passage of any of these matters. It is quite true that, if I had had the power, I would have stopped these proceedings from the start. I disapprove of the system, and I think it is very clear, even looking at this very proposal that the hon. gentlemen have introduced, a system of railway grants which will, in my judgment, lead to a complete revision of the financial basis of Confederation, in regard to the position of the several Provinces. Take this in connection with the grant which was made the other day to Prince Edward Island, and the reasons which were assigned for it. I pointed out at the time that the propositions laid down in the Order in Council would inevitably open the door to all sorts of demands from the other Provinces, and those demands will come, there is no doubt, in good time and in a very short time. Here, apparently, the system which has been already inaugurated has been extended in such a fashion that I do not believe it would be possible now to construct a siding in any part of this Dominion, for which a precedent for a parliamentary grant could not be found. I look at these resolutions, and I see a grant for one road of five miles; I see a grant, a little lower down, to another road—the Joggins road, wherever that may be—for a mile and a quarter, and I see a whole series of little grants—some of them may be, as the hon. the Minister states, extensions—but it does appear to me that the propositions submitted to us are running the whole system into the ground. I cannot, for the life of me, conceive how the hon. gentleman can justify the grants to these roads as roads of Federal importance, or which, under any fair construction of the railway policy, or even by themselves, can come to us and demand assistance. But what is more important is this: We know that the various Provinces throughout this Dominion have granted severally very considerable sums, though varying very much in amount, to railway enterprises within their borders. I have before this warned the Government, and I again warn them now, that most assuredly the Provinces will not be content until some fair readjustment takes place, so that all those which have advanced sums in aid of railways may be recouped in proportion. I say that the whole spirit of this scheme is entirely opposed to the Federal system under which we live, and I say more, that the Province of Ontario, which receives a very small proportion of these subsidies, having regard to its population and the grants which are made to other Provinces, will undoubtedly prefer a demand, and will have a right to prefer a demand, that it should be compensated, and that the various municipalities in that Province should be compensated for the sums which they have advanced. Now, bearing in mind the debt we have already incurred, it is clear to me that in one shape or another these various grants will involve other grants to ten-fold at least, or it may be twenty-fold the amount proposed to be given here, before we see the end of this system. As to this first item, I desire to call the attention of the Minister of Railways to the fact that, in these papers which have been laid on the Table, as I have said, only last Tuesday, there does not appear to be any detailed information as to who the St. Catharines and Niagara Central Railway Company really are, what they have done, what reason the Government have to suppose that, if this subsidy is granted, the line will be completed. I do not know much about the road, but I wish the Minister of Railways to give us a short statement, which these papers do not appear to contain, of the various facts connected with the road, and the grounds which have moved him to make this grant; because I suppose the hon. gentleman has not quite

Sir RICHARD CARTWRIGHT.

laid down the rule that he is going to recommend \$3,200 a mile to be granted to anybody who asks for it, no matter whether there is the smallest possibility that the road will be constructed or not. If the hon. gentleman is going to lay down that rule, it would be well that we should know it. It would have the merit, at least, of being distinct and clear, and of affording equal facilities to everybody; but I do not understand that to be yet the policy of the hon. gentleman, and so I want him to explain, if he knows, who this company are, what they have done, what they propose to do, and his grounds for supposing that this grant will be made use of for the construction of these 12 miles.

Sir CHARLES TUPPER. I do not propose to detain the House at any length at so late a period of the Session, but I think I must relieve the mind of the hon. gentleman opposite of the apprehension he seems to feel that this Government is inaugurating, or has inaugurated a very dangerous policy in regard to this matter. I suppose the hon. gentleman will be very much surprised if I tell him that he is responsible, and the Government of which he was a member are responsible, for the policy as it now stands before the House.

Sir RICHARD CARTWRIGHT. No, Sir.

Sir CHARLES TUPPER. The hon. gentleman will allow me to explain what I mean. I am not charging that as a matter of reproach to the hon. gentleman, but I credit him with it, as I think the country should credit the hon. gentleman and the Government of which he was a member with the inauguration of this policy. Even in regard to the very objections which he has taken to the resolutions which are now before the House, I will show that he himself specially, and the Government of which he was a member are responsible. I do not say this as a matter of reproach, because I say it was a credit to them that they adopted that policy, that they did it in the interests of the country, and that it was eminently in the interests of the country. They found that a number of parties in various sections of the country, and notably in the Maritime Provinces, were engaged in the construction of small branch lines of railway which they believed would open up traffic, and, if constructed, would develop the country, and would be of advantage to the country. They found that these parties were not able to carry out these railways, that they had not the means of efficiently carrying out that policy of constructing short branch lines of railway, and the hon. gentleman came to their assistance, and very properly, by adopting the policy of loaning them old rails.

Some hon. MEMBERS. Oh.

Sir CHARLES TUPPER. Well, will the hon. gentleman allow me? I do not think he will find any cause for merriment in it. I say, Sir, there is the policy, there is the policy you have before you to-day. It was the policy of the Federal Government coming to the assistance, not of interprovincial lines of railway, not of great trunk lines, but coming to the assistance of small and struggling companies. I say that the hon. gentleman cannot escape the position I put him in, that he considered it his duty, and rightly so, to develop the trade and business of the country by aiding these feeble companies to construct small branch lines of railway. If the hon. gentleman will turn back to the record, he will find that road after road of that description, small branch lines of railway, were assisted by him in the most efficient way that he could do it.

Mr. MACKENZIE. Not a dollar of money.

Sir CHARLES TUPPER. But I tell him that when he gave a thousand tons of rails to a company, he gave them money's worth.

Mr. MACKENZIE. The rails were not given, they were only loaned.

Sir CHARLES TUPPER. I quite admit that, and my hon. friend will see that I am taking no exception to what he did. I am proving that what he did was a wise policy in assisting in the most effective way he could these small branch lines that he found were unable, with the means at their disposal, to complete their roads efficiently, to iron them and furnish them with rails and fish-plates and the means of putting the roads into operation. I am quite willing to admit it was a loan, but the hon. gentleman knows that it was a loan, practically, in perpetuity. That was the condition of things that we found. We have followed the hon. gentleman's policy, as we have always followed the hon. gentleman in everything which we believed was a good example for the Government to follow.

Mr. MACKENZIE. When you did not follow me you went wrong.

Sir CHARLES TUPPER. It is very likely that we may have been wrong in some instances, but that must have been from a want of intelligence on our part, and the hon. gentleman knows we are not responsible for that; and if we could not see eye to eye with the hon. gentleman in all respects, he must give us credit for having followed him whenever we came to the conclusion that he had set us a good example. Now, Sir, that is the foundation of this policy, this wise and judicious policy that is now before the House. The hon. gentleman says there is a line of a mile and a-half in these resolutions. So there is. But that, also, is following the hon. gentleman's policy. In one case where a road was completed and in operation, a road five miles long, leading to a coal mine, the hon. gentleman furnished that company with new steel rails at the public expense, and laid the track for them, in order to take that road to a coal mine.

Mr. MACKENZIE. In order to benefit the Intercolonial Railway.

Sir CHARLES TUPPER. It was to connect a coal mine in the county I have the honor to represent, the Spring Hill coal mine, with the Intercolonial Railway, for the purpose of facilitating traffic and obtaining coal on the best terms he could for the use of the Intercolonial Railway. It was a wise and good policy, and if it was good in that case, is it not equally a good policy for my hon. friend behind me to subsidise the Joggins Coal Mining Company in the same way, to the extent of furnishing \$3,200 a mile to provide a superstructure for the company at the Joggins, and to bring the company into competition with the Spring Hill Company, and not leave the Intercolonial Railway dependent altogether on the Spring Hill coal mine? The hon. gentleman will see that in subsidising the Joggins Railway Company in the same way that he subsidised the Spring Hill Company, the same public interest is at stake, and the same good is accomplished for the country. But when the subsidy that was taken last year came to be applied, it was represented by the company, largely composed of leading gentlemen, many of them supporters of the hon. gentleman from St. John's, that an additional subsidy was required for the mile and a quarter that was necessary to complete that line of railway. Now, there is the whole policy. I say it is a sound policy; I say that no expenditure this Government can make, provided it is judiciously done, there is nothing that will lighten the taxes upon the people of this country more than a judicious appropriation to assist great and important railway enterprises, in order to open up the traffic and to develop the trade of the country. When we expanded this principle, that instead of furnishing or loaning rails, we should grant a subsidy equal to the superstructure of the road, to ironing it with rails, by a grant of \$3,200 a

mile, we did it upon this principle: that wherever an assistance of \$3,200 a mile would attract from private sources the additional capital to complete the road, we had the best evidence of the advantage of its construction, and that it would so increase the trade and business of the country as would increase the revenue to a larger extent than would pay the interest on \$3,200 a mile. Now, that was the ground on which this policy was extended. I say that I believe a wiser appropriation of public money was never made. Now, the hon. gentleman seems to think that this is a matter that should rather fall upon the Local Legislatures, in providing for these local roads. I have shown that that was not his policy. I give him credit for wisdom in adopting the course he did; but I go further, and I say that among the difficulties in which Confederation is involved at this moment, the principal difficulty is the want of means of some of the Local Legislatures to carry on the business of the Provinces, with the subsidies and the local revenues. They have not had the means to subsidise railways; they have had to use the money that was, under Confederation, intended to provide for other services, such as roads, bridges, education and things of that kind. It has involved them in difficulties, and from this reason has arisen the necessity of subsidising local roads. We have a direct interest in subsidising local roads; we have a direct interest in every mile of railway we build, because it increases the trade and business of the country, and these increase the revenue which comes to us. But if the construction of a road by the aid of the Local Legislature doubles the revenue of the Province, not one shilling of it inures to the Local Government whose treasury has been depleted in order to bring about that result. There is the whole question, I think, in a nut shell. I do not see that it can be opposed. I do not mean to say that errors may not have been committed in applying the policy, and that it might not have been applied more judiciously, but I say that if every shilling of this appropriation was called for—and that has not been our experience—I doubt if the whole \$1,700,000 will be expended—it would conduce more to the progress and prosperity of Canada than by appropriating it in the way that has been described. While I entirely disagree with very many of the statements made by the hon. member for North Wellington (Mr. McMullen), I entirely concur with one statement, viz: that you could injure the country instead of benefiting it by promoting railway companies where there is not enough business for the roads that exist already. It is by assisting in the construction of branch lines, or of short pieces of roads to connect existing railways, that appropriations are valuable. If you expend this money in promoting competition, by the construction of roads not needed to do the business of the country, you will be doing injustice both to the country and the enterprises already in operation.

Sir RICHARD CARTWRIGHT. I must congratulate the hon. gentleman on having an amount of confidence which no other human being possesses. No one but the hon. gentleman would have proceeded to justify a policy, which was announced with a great flourish of trumpets as a new departure, and most emphatically a new departure it was, involving the addition of very many millions to the public debt, on the ground that the hon. member for East York (Mr. Mackenzie) had loaned a parcel of worn-out iron rails, which he could not sell, to two or three little branch roads in Nova Scotia, thirteen or fourteen years ago. I must say that if that is the precedent on which the hon. gentleman rests his action, I do not know a more absurd precedent, if the hon. gentleman will excuse me for saying so, ever presented in justification of a great policy.

Sir CHARLES TUPPER. It was stated at the time this very policy was proposed.

Sir RICHARD CARTWRIGHT. It was not proposed by the hon. gentleman who loaned a parcel of old worn out iron rails to small lines in connection with the Intercolonial Railway. It is absurd to propose this as a justification, and I decline to accept the credit bestowed on the hon. gentleman or myself in connection with this system of subsidy. There is no possible connection between the matters; and a public man of the ability which the Minister of Finance possesses can hardly have formed so low an opinion of the intelligence of both sides of the House as to gravely propose that as a justification. If the hon. gentleman be correct in saying that his object is to improve traffic, particularly as regards the Intercolonial Railway, I hope he will be more successful in the future than in the past, for, judging from the returns laid on the Table the other day, the position of the Intercolonial, after all those grants for additional roads, is growing very rapidly worse.

Sir CHARLES TUPPER. The traffic is not declining.

Sir RICHARD CARTWRIGHT. The expenses of working are increasing.

Sir CHARLES TUPPER. That is another question altogether.

Sir RICHARD CARTWRIGHT. There is an enormous deficiency on the first ten months of the current year.

Sir CHARLES TUPPER. That is very exceptional.

Sir RICHARD CARTWRIGHT. If you take the enormous sums charged to capital, and if you add the deficits, and, further, the enormous amount of capital sunk by hon. gentlemen on those various operations on which we have a large interest to pay yearly, I say the position is far from satisfactory. I have not touched the main objection I take to this whole business, and that is: you will most assuredly be compelled to meet the claim of the various Provinces, some of which have invested enormous sums in railway undertakings.

Sir CHARLES TUPPER. They are met by the resolutions.

Sir RICHARD CARTWRIGHT. I say they are not met by the resolutions. Here you give \$300,000 or \$400,000 to Ontario, with a population of two millions. That is not a fair proportion under the resolutions before us. In addition, millions have been granted, or are to be granted under other resolutions laid before the House at an earlier period.

Sir CHARLES TUPPER. If the hon. gentleman will examine the others he will find that the amounts are pretty equal.

Sir RICHARD CARTWRIGHT. I do not see so. I do not think that if these grants are to be made Ontario has received anything like the amount to which it is entitled. The point is one which will most assuredly be brought up to us from time to time. It is clear that once you depart from the wise and correct rule of only granting the assistance of the Federal Parliament to objects really and truly of a Federal nature, and which can be shown to be so, every Province and every section of a Province has a just and clear right to compensation. The hon. gentleman has had to admit that in the case of Prince Edward Island.

Sir CHARLES TUPPER. That was exceptional.

Sir RICHARD CARTWRIGHT. And what the Government have done in the case of Prince Edward Island they will have to admit in regard to each individual section of each Province which does not receive what it considers fair compensation. There will be no end to this thing. However, what I chiefly rose to repudiate was the

Sir CHARLES TUPPER.

kind impeachment which the hon. Minister preferred against myself and my hon. friend from East York (Mr. Mackenzie), as having been concerned in inaugurating this subsidy system. We give the hon. gentleman the whole credit of it; we disclaim it altogether; on his shoulders let all the profit and benefit rest. Let the glory be his.

Sir CHARLES TUPPER. I wish I could take it.

Sir RICHARD CARTWRIGHT. We are not going to hold ourselves in the slightest degree responsible, nor did we ever bring down any proposition to Parliament which, in any true sense, could be quoted as a precedent for the resolutions now under discussion.

Mr. CHARLTON. The hon. gentleman has endeavored to saddle the responsibility for the present system of railway subsidy on the Mackenzie Government, and this reminds me of a story. A gentleman, dining at an hotel in New Orleans, ordered champagne. A countryman, who was present, helped himself, whereupon the gentleman said: "That is a cool proceeding." The countryman said: "It is cool; I reckon there is ice in it." I think there is considerable ice in the hon. gentleman's argument, that the policy of granting railway aid had been inaugurated by the Mackenzie Government, because they had loaned a quantity of old, worthless, worn-out iron rails to branch roads to the Intercolonial Railway.

Sir CHARLES TUPPER. Worth \$20 a ton in cash.

Mr. CHARLTON. They were old iron rails loaned to branch lines to the Intercolonial Railway, upon condition that they should be returned when required, or paid for. This, the hon. Minister says, was the inauguration of the present system of granting millions, not to branches of Government railways, not to railways of Federal importance, and which might have a legitimate claim to Federal aid, but to small corporations over the country, the grants being made, in nine cases out of ten, to serve political purposes, and political purposes alone. The hon. gentleman talks as if this was a sound policy. This is a most dangerous policy. The day it was inaugurated, in 1882, was a most unfortunate day for this Dominion. We have since that time, granted many millions for railway subsidies. We have opened the door to a system of grants of which we are unable to see the end. We have, in making those grants, opened the door to further claims for enormous amounts. The grants made so far have been very disproportionately in favor of Quebec, and also of the Provinces of Nova Scotia and New Brunswick. Ontario, which must pay about 60 per cent. of all the taxation incurred by this policy, has received comparatively nothing; she has not received probably 10 per cent. of the whole. That Province will be clamoring at the door of the Dominion Parliament for an adjustment of its claim, and the Minister has inaugurated a policy which will lead to log-rolling, to taking hold of the throat of the Government in days of emergency by Provinces or by sections, and which will place the Government at the mercy of cliques, rings and combinations. Do we not remember the events which happened in room No. 8 some years ago, when the Government were taken by the throat, and afterwards voted eight millions of subsidy. They did it, not because it was sound policy, or because they wished to do it, but because they were obliged to do it, to tide themselves over a particular difficulty and save themselves from defeat; and we are liable to occurrences of that kind every Session we sit here. They have opened the door to endless financial trouble and difficulty; there is no justification for such a policy in the present financial condition of the country. It is not a sound policy, but, on the contrary, it is a most unsound and dangerous policy. It will be used by an unscrupulous Government in times of election, as it has been used, to

make promises to ridings, to sections, to Provinces, for the purpose of securing political support. Does any hon. gentleman in this House doubt that promises of subsidies have been used in the past in such a way as to influence the result? Will the hon. gentlemen deny that they have been used in a way which I will not designate, but in such a way as to influence the elections in various ridings and Provinces.

Sir CHARLES TUPPER. I will frankly admit, if the hon. gentleman desires it, that this policy has commended itself so entirely to the approval of the great body of the people of Canada that I think it was a source of strength to the Government.

Mr. CHARLTON. Public sentiment, as the hon. Minister knows, has been appealed to by the most mercenary of all motives, causing many of the electors, as well as sections and Provinces, to believe that they could only secure certain advantages by voting in a certain way, and thus supplying a motive by which each should attempt to secure a share of the plunder and take a tug at the Dominion Treasury. It may be said that many ridings are pleased with this policy; I have no doubt many ridings in Nova Scotia are pleased with it, but that does not prove that it is right. Opening the public Treasury in this way may be agreeable to them, and may tend to strengthen the Government which promises thus to abuse its trust, but it is not a good thing for the country, and it is an evil which is bound to go on increasing. Public sentiment is already sadly debauched, and this system will increase the evil. The hon. gentleman says the amount of these grants this year is \$1,700,000, though I believe the total sum is nearer two and a quarter millions; and the First Minister alluded to them the other day as being very modest in their character. But I say that with our present debt, having voted away the public money at the rate of five millions for every week we have been in Session, this spending of millions to placate particular ridings, or sections, or Provinces, or to induce them to support the Government at the general elections, or to pave the way for the bye elections—is a policy which is not for the good of the country, but is one calculated only to meet the pressing political necessities of the Government; it is in this way that the system will be used, and, therefore, I say it is a vicious system, and it was an unfortunate day when it was inaugurated in this country. It is an evil which will go on increasing, for there will always be a temptation on the part of the Government to use the credit and revenues of the country, for the purpose of strengthening themselves, by making grants which, in nine cases out of ten, are not in the public interest, but are dictated solely by the political exigencies of the Government itself. The assertion of the hon. gentleman that this system would lighten the taxes of the people is an absurd one. Many of these roads are built in sections where they will do very little to develop the country, and the subsidies to be granted in this way are not granted on the consideration of how far they will tend towards the development of the country, but how far they would add to the political influence of the Government of the day. The hon. gentleman says that the difficulties connected with Confederation were largely caused by this old system of the Provinces granting subsidies to railways which the Dominion Government have now taken out of the hands of the Provinces. Sir, this is a preposterous assertion for the hon. gentleman to make. I say that the difficulties which have arisen out of Confederation have been largely due to the system which was adopted of giving annual subsidies to the Provinces, and thus inducing them to become perpetual claimants for greater favors. The Provinces do not realise that under this system they pay in more than they receive, and the system itself is one which offers a premium to extravagance on the part of the

Provinces, and at the same time involves the Dominion Government in difficulties by the temptation to a reckless expenditure of public money. I say that if the Provinces had been left, like the States of the American Union, to provide for their expenses, we would have given encouragement to a system of economy, instead of a temptation to the extravagance which now prevails. This I say is the difficulty which surrounds the Confederation, and it is one which will continue to menace us in the future, in the way of constant demands for additional subsidies. I realise that this is not an hour for long speeches, and I only rose to put my views on record with regard to this most vicious system. I predict that the result of this system will be most disastrous to this country. No Government, however honest it may be, can resist the pressure, after the precedents have been established, and the system inaugurated, and the Government of this day will inevitably use its power in this way to strengthen itself among the electors. This Government has done so, and will continue to do it, and before the present Parliament expires there is no telling how many millions will be added to the burdens of the country, for the mere purpose of enabling hon. gentlemen to tide over political difficulties in which they may be involved, and assisting them in any political exigencies with which they may be threatened.

Sir CHARLES TUPPER. While I do not mean to say that it would be possible to equalise these subsidies, you must deal with the condition of the country, the efforts the people are making to develop their resources, and so on; but the hon. gentleman is under a misapprehension with reference to what has been done. There have been subsidised under these resolutions and those of a similar kind, up to the present time, in Ontario, 89½ miles; in Quebec, 910 miles; in New Brunswick, 350 miles, and in Nova Scotia, 118 miles.

Sir RICHARD CARTWRIGHT. Are those roads which have actually been gone on with, or only subsidised?

Sir CHARLES TUPPER. Those are roads to which subsidies have been granted.

Sir RICHARD CARTWRIGHT. You don't know how many miles have actually been gone on with?

Sir CHARLES TUPPER. Yes; 650 in Ontario and 297 in Quebec.

Sir RICHARD CARTWRIGHT. That includes the Canadian Pacific Railway, I suppose.

Sir CHARLES TUPPER. No.

Mr. MACKENZIE. Will the hon. gentleman name the lines?

Sir CHARLES TUPPER. I haven't the information before me now, but the Journals will show.

Mr. MILLS (Bothwell). I do not think that the speech made by the hon. gentleman, in undertaking to show that the Government of the hon. member for East York initiated this policy, was worthy of him. The policy was initiated by the hon. gentleman himself, when he declared that certain classes of roads were for the general advantage of Canada. The hon. gentleman caused that declaration to be made in order that he might initiate the policy which we are now carrying into effect. The hon. gentleman has introduced a policy that is revolutionary, and he knows that it is in violation of the spirit, if not the letter, of the British North America Act. After the hon. gentleman's declaration, I would like to know what railways the Provinces could charter that would be under their exclusive control. By the British

North America Act, the Provincial Legislatures, no less than the Legislature of Canada, are entitled to incorporate railway companies. They are entitled to incorporate any railway company that lies wholly within the limits of the Province. By availing himself of a provision of the British North America Act that was merely intended to enable this Parliament to combine railways that previously existed in the Provinces, in order to form one continuous line, the hon. gentleman is abusing that power in order to adopt a policy that practically excludes the Provinces from effectively controlling any railway corporation they may create. The hon. gentleman knows that the Legislature of Ontario and the municipalities of that Province have together spent \$20,000,000, since 1867, in aid of railways that are incorporated by that Legislature. That Legislature would never have aided those railways if it had supposed that it would cease to control and direct them. Now, the hon. gentleman cannot expect that the Government and people of Ontario will rest content that this House should go forward in the policy that has been adopted, without that large sum being recouped to them. The hon. gentleman has said that this policy is one to lighten taxation. Well, he introduced it in 1883, and I would like to know in what Session the taxation of the people has been lightened since that time. On the contrary, the hon. gentleman has increased the taxation this very Session. The truth is, that while he asks the Parliament of Canada to aid in levelling up in the poorer districts, he is at the same time levelling down in those districts which are more prosperous. He is adding to the burdens of the people, and he is taking away from the people capital that belongs to them individually, and is investing it in corporations that return to the people nothing. That is the policy the hon. gentleman has inaugurated, and I say it is impossible that such a policy can continue without leading to radical changes in our system of Government. Why, what has been done? The British North America Act declares that certain railways are local. It is a matter of fact; there is no difficulty in determining what roads are local, and are consequently under the exclusive control of the Local Legislatures. But the hon. gentleman has broken down the barrier that separates Provincial and Dominion jurisdiction with regard to a most vital matter—the expenditure of public money. The hon. gentleman having gone thus far, cannot stop. The Provincial Legislatures, by their pecuniary interests, were able to hold localities in check, but the hon. gentleman has no such power, and Session after Session the expenditure and the debt have been increasing for the construction of railways of no benefit to the people at large. And so the resources of this country, which, if wisely husbanded, might be applied to works of great national and general advantage, are being frittered away in localities where no advantage can be derived from them. Looking at the map which the hon. gentleman has laid on the Table, I find that the hon. gentleman has marked the new lines of railway, and there is hardly room on the map to mark some of the lines without obliterating some existing line. The Government are proposing to build new roads where roads already exist—not, perhaps, precisely on the same ground, but in the same immediate neighborhood; and it is impossible, especially in districts where the soil is not of the very best quality, and where agriculture is not in the most prosperous condition, that any great advantage can be derived from expenditures of this sort. Among the railways which are subsidised I see one called the Harvey Branch Railway, which is in the county of Albert, New Brunswick. It runs to a private ship yard, and was built to promote the private interests of the proprietor of that yard. When built it was aided by a local subsidy, which was more than sufficient to construct it. The proprietor of the road built it, not with scrap rails, but with rails which were con-

Mr. MILLS (Bothwell).

sidered as worn-out altogether, and it has never been running except simply as a siding to the ship yard. The road has been in operation for four or five years, and the hon. Minister presuming, I suppose, on the ignorance of the House and the indifference of his supporters, comes down here on the last day of the Session and asks the House to discuss these resolutions, when he knows that he has worked up the members on both sides of the House into a condition that makes it difficult to go on with business at all. This subsidy is to rerail this side line, and, perhaps, do more, because I apprehend that \$3,200 a mile will be more than sufficient to rail it, and the proprietor will be able to put money into his pocket. The hon. gentleman is not dealing fairly or ingenuously by the House when he comes here and asks us to make an appropriation towards the building of a road that is already constructed, and that has been in operation during all this time. He proposes here to use a road that, I say, is simply a road running to a ship yard, and which has been used for no other purpose. I do not know how many more roads there may be in exactly the same position, but I must say the proposal of the hon. gentleman is in this respect very little short of an outrage. The hon. gentleman might as well propose to rebuild or repair a saw mill. I dare say, if we had time to examine the other proposed subsidies, we would find other grants of the same sort. The House is kept in the dark. We are not given the information which would enable us to form a judgment. The Government evidently look to the votes of their supporters, and consider that to them reflection, information and judgment are entirely unnecessary. Like one of Shakespeare's characters, the less they have of conscience the better for them.

Mr. WILSON (Elgin). I desire to express my disapproval of the manner and the time in which these resolutions were brought in. The House has now reached that period when one cannot give them the consideration they deserve. In fact, the mover occupied hardly five minutes in explaining those various subsidies, showing very plainly that either he thought it better to give as little information as possible or else considered he was unable, at this advanced period of the Session, to spare the time for the necessary explanations. Resolutions of this kind ought, in all fairness, to be laid on the Table in reasonable time, and the Minister, in introducing them, ought to explain why he asks us to vote these large sums. One of the reasons given by the Minister, and the only one which had any weight, was that the Local Legislatures ought not to be permitted to embarrass their financial condition, and, therefore, it was in the best interests of the country that the Dominion should assume the cost of these roads. I may say, in this connection, that we have before made the claim that the Provincial Legislatures and municipalities should be recouped the aid they granted to railways, for which they burdened themselves heavily; and if the Dominion Government think to grant subsidies to these roads, the municipalities ought to be relieved, to a certain extent, of the expenditure they have incurred in this connection. Judging from the resolutions before the House, the best interests of the country are not intended to be observed in granting those subsidies. There are other large portions of the country in which railroads would be of greater benefit than the sections provided for in the resolutions. We were told in glowing terms of the great portions of our country yet undeveloped, which were going to be opened up, and of the extensive iron ores that would be developed in a few years by this policy; but I have looked in vain on the paper to find any provision for these new sections. If, then, these grants are not given to develop the resources of the country, what can be the motive of the Government in introducing these resolutions? There is evidently something behind the scenes in granting these

resolutions, and it would appear their sole object is the obtaining of political support. The Government, instead of having the interests of the country at heart, have evidently only regard for the interests of their supporters. In the greater portions of the sections where those roads are subsidised they will enter into competition with other lines, and are really not required, except as bids for political support. To my surprise, I find on the paper, the Niagara Central gets a subsidy for a large amount for the construction of that line, when its promoters stated they could not construct it. If the company is unable to construct it, why was a subsidy granted? It would appear to most people that, in granting a subsidy to this line, which the promoters say they are not going to build, the object is to enable them to dispose of their charter. Is this in the interest of the public? Their object is plain. They should go to that portion of the country where it would develop the country to advantage, and to the benefit of the Dominion at large, but, on the contrary, almost every bonus that has been granted here is for the purpose of pure log-rolling, so as to secure political support. Here is another illustration of the course that the Minister of Railways is pursuing. We find that the Lake Erie, Essex and Detroit River Railway was subsidised in 1886 for 37 miles, in all \$1184'00. That same road is to be subsidised now with a different length. It appears that it has diminished in growth. An hon. member says it is older. It is reversing its growth with its age. We find, however, that the same sum is to be granted to the same company as was granted in 1886, though this year it is only 27 miles long instead of 37 miles. We understand that, unless there are exceptional circumstances, only \$3,200 a mile is to be granted, yet we find according to this resolution, the length of the road having been reduced by ten miles, that they are to get \$4,400 a mile over that portion. Those who know that country will agree with me that a road can be very easily built there.

The CHAIRMAN. Would it not be better to discuss a particular item when we reach it? We have not reached a single item yet. We are discussing the general question.

Mr. WILSON (Elgin). I am discussing the general question. I do not wish to encroach upon the time of the House, but I want to show that there has been no just consideration of the mode of granting subsidies to railways, and, therefore, I contend that the remarks I was making were pertinent to the general question.

The CHAIRMAN. I did not rule that the hon. gentleman was out of order, but suggested that, perhaps, it would be better to discuss the item by-and-by when we reach it.

Mr. WILSON (Elgin). I am very thankful for your suggestion. I was about to show by this illustration that the Government is not governed by any fair consideration as to what will be for the best interests of the Dominion. If we are to be told that the policy of the Government is that in future there shall be no more expenditures on account of railways by the Provinces, it is the bounden duty of the Government to come down with some comprehensive scheme whereby they may be able to recoup to the various municipalities, or at least to the Local Legislatures, the bonuses they have granted on account of the construction of railways. The Minister of Finance says that these roads will be for the general advantage of Canada. If that be so, the Local Legislatures have expended a large amount of money for that purpose, and it is no more than right and proper that the Dominion Government, when they assume control of those local roads, should come down with a general measure and compensate the Local Governments. The system which is now inaugurated by this Parliament is the most pernicious that has ever been inaugurated in any

Parliament. I do not believe it is possible, though it is intended, that the members of this House could so far forget themselves as to vote for a grant to a certain railway merely because it was going to benefit their own locality. They can hardly be so selfish as that, and I cannot believe that this intelligent Legislature could be so influenced by such sordid motives; but, while the members of this House might resist a temptation of that kind, what effect can it possibly have on the electorate throughout the various municipalities? It is a vicious system, in keeping with the various courses that have been adopted by this Government since it took power in 1878. Its whole course has been intended, as far as possible, to debauch the electorate so as to retain the present Ministers in power. If one means would not suffice, some other means had to be adopted. The only object of those gentlemen is to retain the sweets of office. They cling to them with a pertinacity worthy of a Conservative and of no other politician. In view of the course into which the country is drifting, the time may not be far distant when we will see that a Government which legislates simply to keep itself in power no longer deserves the confidence of the people at large.

Sir RICHARD CARTWRIGHT. I desire to recall to the mind of the Minister of Railways the questions I put in reference to this St. Catharines and Niagara Central Railway. I suggested before that it would have been convenient to have had a sort of memorandum accompanying these reports, giving a succinct statement of the grounds on which the Government recommended the grant, what security or what reason they have for supposing that the road would go on, and matters of that kind. In the first instance, would he kindly let us know who are the parties who compose this company, is the company in existence at all, and has it built any part of the road? Is it a new scheme altogether? What are the circumstances connected with it?

Mr. POPE. It is a company, the St. Catharines and Niagara Central Railway Company, which is proposing to build this road. The company has graded, I understand, a considerable portion of this road—I do not know exactly how much. There have been bonuses voted, as I understand, to the extent of \$260,000.

Sir RICHARD CARTWRIGHT. For these 12 miles?

Mr. POPE. For these 12 miles.

Mr. RYKERT. \$184,000.

Sir RICHARD CARTWRIGHT. These have been actually voted?

Mr. POPE. They have the right of way given to them. They propose to build it out of their own means. They are very wealthy men, some of them I know are quite able to build the road themselves. Mr. Neelon and Dr. Oille and other gentlemen connected with the project make it certain that the road will be built.

Mr. MACKENZIE. What is the distance between the two roads?

Mr. POPE. I could not say.

Mr. RYKERT. About six miles.

Mr. MARA. The resolutions before the committee will be, I must say, a great disappointment to the people of British Columbia, when they find that the Government have declined to grant assistance to any of the lines contemplated in that Province, while they are granting millions of dollars to assist lines in the older Provinces. When the Government inaugurated their policy of subsidising railways in 1882, the Province of British Columbia was not in a position to take advantage of that policy,

owing to its isolated position and the enormous cost of transportation. But with the completion of the Canadian Pacific Railway there are now no difficulties in the way of railway construction through the mountains, where plant, material and supplies can be landed in the interior of British Columbia with the same facility as in the older Provinces. But as soon as we leave the main line of railway, then our difficulties commence. In the construction of the Canadian Pacific Railway the requirements and development of British Columbia were never taken into consideration. Both the Government and the railway company very properly selected the shortest route to the coast, the one easiest built, and the one possessing the fewest physical obstacles. But that line is not, and never will be, a line that can develop the resources of British Columbia without branch lines or feeders, lines that will tap the agricultural districts of the south, and the rich mineral districts of Cariboo in the north. Now, in discussing this question of subsidising railway lines in British Columbia, I was very much disappointed to find the members of the Government taking the position that, owing to the very large expenditure in building the Canadian Pacific Railway, for some time to come, we cannot expect any aid or assistance. Well, any members of the House, who have been over the Canadian Pacific Railway, will have observed that a very large proportion of the expenditure in building the line was for the sections between the base of the Rocky Mountains and Eagle Pass, a portion that is almost inaccessible to the residents of British Columbia, far removed from agricultural settlement and the centre of civilisation; and as far as expending the money within the boundary of our Province is concerned, it might just as well have been spent on the shores of Lake Superior. Every pound of material, every tool that was used on the work, every animal employed on the work, as well as every pound of grain to feed the animals, and every pound of provisions used in feeding the men, came from the east, and as soon as the work was over the men, with their earnings, were taken back to the eastern Provinces, and not one dollar of that money was spent in what might be called British Columbia proper, although it was spent within the boundaries of the Province. So far as the people were concerned they derived no direct or indirect benefit from the construction of a large portion of the Canadian Pacific Railway, except quick transportation to the coast, and in that respect each of the other Provinces derive the same advantages east that we do. Now, I think I can show from the returns of Trade and Navigation, that British Columbia is entitled to some aid and assistance from the Government in subsidising our lines of railway. I find that the exports from 1850 to 1886, inclusive, were nearly \$21,000,000, and during the same period we paid, in Customs duties alone, \$5,368,219, and Excise, \$415,849. I find that the increase in duties from 1880 to 1886 was 96 per cent. I find in looking over the statistics of the Province that there is the same evidence of prosperity. Real property has increased from 1880 to 1885 at the rate of 59 per cent. and personal property at the rate of 47 per cent. The returns for 1886 are not in the library, but I think they would show the proportion to be much greater. The increase in school children is 63 per cent. I find that the amount paid in Customs by the people of the Dominion at large, per head, is \$4.49, and the amount paid by the people of British Columbia, per head, is \$17.66, or 400 per cent. more than in any other Province in the Dominion; therefore, I think, we have a just claim to our proportion of the railway subsidies that are granted to lines in the older Provinces. The question then arises, have we any railways in a position to claim assistance from the Government? I may say we have three, first there is the Cariboo Railway, which has been promoted by the Provincial Government. The Government of British Columbia have for some time

Mr. MARR.

past endeavored to assist quartz mining in Cariboo, and they realise that the only way to do so is by giving cheap transportation. With that object in view, they sent Mr. Bell, an engineer of high standing, to examine the route, and he reported that a line can be found 288 lines in length, that can be built for seven and a half million dollars. I will quote a few extracts from his report:

"Within a few years railroad lines have been extended and settlements advanced. Ores that could only be worked if they would yield from \$25 to \$50 per ton, are now found to be rich as they can be mined at a very reduced expense. Dump piles formerly considered worthless are now valued at many thousands of dollars. Tailings allowed to go to waste in former years are now being prospected and assayed. The concentration of these tailings will furnish employment for many men in the near future."

"In this connection it is worthy of notice that a large percentage of the fifty millions dollars worth of gold hitherto taken out of British Columbia came out of Williams Creek, and yet it is a habitual assertion by all British Columbia miners, that there is as much gold in the bottom of Williams Creek to-day as the amount that has been taken out."

"The same authority above quoted says:

"The value of gold in the tailings not only of the quartz, but the hydraulic mines, is something enormous. It is considered by the most practical miners in California that at least one-half of the gold in placer mining is lost—or rather not saved."

"There are already open to inspection in the Cariboo region quartz ledges varying in width from seven to seventy feet, and ranging in depth from 20 to 180 feet, from each of which the average assay of last year, recorded in one assay office in Barkerville, was very satisfactory."

"If then these ledges were in a further state of development (as they very soon will be, owing to the aid afforded by your Government), who could doubt the proportions that business, upon the only road serving this district, would be likely to assume."

"Seeing that your Government, after considering well the responsibility that attaches to aiding by loan, upon certain conditions, the development of quartz mining, has seen fit to take that step, it would naturally appear that no better proof of greater confidence as to what the future of quartz mining in British Columbia is likely to become could well be displayed, nor any stronger argument used in forwarding the building of a road into that district which has commanded confidence enough to gain so valuable a concession."

"But the quartz ledges now open in British Columbia are not a large percentage of those known amongst practical miners to exist in the Cariboo district, and if cheap transportation to these mines were only available, then, by a parity of reasoning, no long time would elapse before the same activity in mining in British Columbia would take place that followed upon the construction of railways in California."

I may say there are already lodes and veins in British Columbia that have been tested and are so far developed as to warrant the assertion that if we possessed railways to give cheap transportation, these mines would offer employment not only to thousands but to hundreds of thousands. The next line for which application was made is the Kootenay and Athabasca road. In regard to that road I would simply say that it is a line intended to open up a very large timber district on the Kootenay River, and valuable mines on the border of Kootenay Lake. The British Columbia Government, being so far convinced of the *bona fides* of the company, gave them a grant of 300,000 acres of land. The next company that is in a position to take advantage of a subsidy, and which, I might further say, has a claim on the Dominion Government, is the Shuswap and Okanagon road. It is intended to run to Okanagon Lake, a lake over 75 miles in length and navigable all the year round. When the First Minister was in British Columbia last year, a deputation called upon him and placed this matter before him, when, I understand, he led them to believe that assistance would be given this Session. That road will run through the richest agricultural district in the Province. A short time ago the Government sent an engineer and an expert to report on the statements made by the company. The report verifies the statement that there are 340,000 acres of land in that district that cannot be surpassed, not only in British Columbia, but in the whole Dominion. There has been a yield of wheat equal to 60 bushels to the acre, not over small fields but covering fields of a hundred acres in extent. The average is put down at what is considered to be a low figure, viz., 32½ bushels to the acre for the entire district. When we find British Columbia importing annually 50,000 barrels of flour, and we have there 340,000 acres of the finest wheat land in the Province, I think the pro-

motors of this company may fairly claim assistance from the Dominion Government in furthering their National Policy scheme. This company has received the support of the whole of the Province of British Columbia from one end to the other. At a meeting of the Board of Trade, a board sitting three hundred and fifty miles from this proposed line, the following resolution was passed a short time ago:

"Whereas, a large area of rich and agricultural land will be opened up by the construction of the Shuswap and Okanagon Railway, and mineral and other resources will be developed thereby much to the advantage of this Province and the Dominion at large;

"And, whereas, the Provincial Legislature, after having evidence brought before them as to the desirability of developing this portion of the Province by the said railway, have granted the said railway company a bonus of \$4,000 per mile, or not more than \$200,000;

"And, whereas, this bonus is entirely inadequate to enable the promoters to carry on the undertaking:

"Be it, therefore, enacted, that the British Columbia Board of Trade respectfully urge His Excellency the Governor General in Council to be pleased to grant to the Shuswap and Okanagon Railway Company a liberal subsidy which will enable them to carry out this very desirable enterprise; and that the secretary be instructed to forward a copy of this resolution, with the seal of the board attached, to the honorable the Minister of Railways, and also to forward copies of said resolution to the British Columbia members of Parliament at Ottawa with the request that they may use their best endeavors in furtherance of the scheme."

When the Provincial Government, with its slender income, grants a bonus of \$200,000 to a railway 51 miles in length, a bonus equal to one-third of the annual revenue of the Province, I think the Provincial Government as well as the railway company have a strong claim on this Government for some aid and assistance to that line. As hon. members are exhibiting signs of impatience, I will not occupy the time further, but will express the hope that if, at the next Session of Parliament, the Government grant assistance to any lines, the Shuswap and Okanagon will stand first.

To the Vaudreuil and Prescott Railway Company, for thirty miles of their railway, from Vaudreuil towards Hawkesbury, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$96,000.

Mr. POPE. The total cost of the road will be \$600,000. The municipalities have furnished the right of way free, and I am informed that municipalities have voted, or are about to vote, a subsidy.

Sir RICHARD CARTWRIGHT. Of what amount?

Mr. POPE. I do not think I have the amount; but I know such is their intention.

Mr. MACKENZIE. Make that a condition.

Mr. POPE. Not one dollar of subsidy will be paid until the road is built.

Sir RICHARD CARTWRIGHT. Is this a railway in existence in any way, or is it only projected; has any work been done?

Mr. POPE. No.

Sir RICHARD CARTWRIGHT. Then it entirely depends on that subsidy, and what the municipalities give, and what the private proprietors choose to put into the undertaking.

Mr. LABROSSE. Part of the road is already begun. While I am very thankful for what the Government have agreed to do, I think they should have granted aid for fifty miles so as to reach Caledonia Springs, which is largely frequented every year. Thirty miles will not reach further than to Hawkesbury, and fifty miles is at least what is required. The Government would do well to change the grant in this respect.

To the Richmond Hill Junction Railway Company, for five miles of their railway from Richmond Hill Junction to the Northern Railway of Canada to Richmond Hill Village, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$16,000.

Sir RICHARD CARTWRIGHT. Is this a mere spur?

Mr. POPE. It was chartered by 49 Victoria, Ontario Legislature. The estimated cost is \$10,000, and after this grant and local bonuses are paid \$14,000 will be left to be raised by the company.

To the Drummond County Railway Company, for thirty miles of their railway from Drummondville towards Nicolet, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$96,000.

Mr. POPE. This railway has been commenced. The company are quite able to build the road, and they ask for this subsidy.

Sir RICHARD CARTWRIGHT. It is an extension.

Mr. POPE. No.

Sir RICHARD CARTWRIGHT. Is Nicolet the final point?

Mr. POPE. It is to connect with another road—the Great Eastern.

Sir RICHARD CARTWRIGHT. What other resources has this company got in the way of municipal bonuses or subsidies.

Mr. POPE. They have some subsidies, but the proprietors are largely concerned in the finance of the road.

To the Joggins Railway Company, for one and a quarter miles of their railway extending from the southern end of the portion subsidised by 49 Victoria, chapter 10, to the wharves, a subsidy not exceeding \$3,200 per mile, not exceeding in the whole \$4,000.

Sir RICHARD CARTWRIGHT. I suppose I may, without offence to the Maritime Provinces, confess my ignorance of Joggins, and ask for information?

Sir CHARLES TUPPER. It was the first coal mine opened in the county of Cumberland. It is on the bay, and the original company who worked the mines, built a line which was subsidised last Session connecting their coal mines at Joggins with the Intercolonial.

Mr. JONES. I think these resolutions show that, as the hon. gentleman stated the other day, he is quite able to take care of his own county. I do not object to that, but I wish the hon. gentleman would exercise his powerful influence in favor of some other lines in his own Province. The expectations which he held out to the people there have not been realised. I am informed that during the last election he led the people to believe that it was the purpose of the hon. gentleman to subsidise the Musquodoboit to Stewiacke.

Sir CHARLES TUPPER. Does the hon. gentleman mean to say that I said anything of that kind on the platform?

Mr. JONES. No; but he had a deputation of his political friends, as well as his political opponents, and I understand that he gave them the strongest possible assurances that this road would be provided for this Session. If such were not the case it will only place those gentlemen, among whom are some prominent citizens of Halifax, in a very awkward position. That road has been subsidised by the Local Administration; it runs through a very fine agricultural country, and while the hon. gentleman was giving subsidies to four roads in his own county, I think it was hardly in accordance with his public position and duty, to leave this road without assistance. No doubt the hon. gentleman has taken into consideration the fact of certain contingencies arising in his own county before very long, but I do not think that some of these appropriations could be justified on as strong public grounds as some of the others to which I

have referred. There was another road which was also subject to political discussion, and that was the Hants Central, and it was considered in the county of Hants that the Government would give a subsidy to help to build a bridge between Truro and Windsor. I believe that was canvassed in the county, though I do not say the Government promised it. I say that no more proper expenditure of public money than that could be made under this policy, as the road traverses a fine district and very materially shortens the distance. It has also a subsidy from the Local Government. I repeat my regrets that two roads of such prominence, passing through such a splendid agricultural district, and with a future of such great promise, have not received the consideration of the Minister of Finance when he has been able to secure aid for four lines in his own county.

Sir CHARLES TUPPER. Would the hon. gentleman mention that all the railways in my county which are subsidised are less than 21 miles in length?

Mr. JONES. But the hon. gentleman has given nothing to some of the other counties.

Mr. PUTNAM. I regret that, among the many railway schemes that have been subsidised this Session, the claims of the Hants Central Railway have been overlooked. I would like to urge upon the Government the importance of that road. It will bring the counties of eastern and western Nova Scotia some 40 miles nearer together for commercial purposes. It will also open up a fine agricultural district second to none in that Province. There are also along the line a large number of valuable mines and minerals which are only partially developed, and which are practically at a standstill for want of railway communication which would provide an outlet to the market. This would also be one of the shortest and most direct routes of travel through the Province as well as to and from the United States. I would like to say one word in reply to the remarks made by the senior member for Halifax (Mr. Jones) at an earlier part of this Session. I think he stated that it was owing to promises made in connection with this road that I occupied a seat in this House. I can say most positively that I made no promises in any way in connection with this road, and never asked the Government to make any promises, or approached the Government or any member of it to obtain any promise for this road. But I believed then, as I believe now, that the Government will render such assistance to this road at the next Session of Parliament as will secure its construction at an early day.

Mr. JONES. I did not intend to convey the idea that the hon. gentleman owed his seat here to any promises that had been made. What I wanted to convey was that the general promises made by the Government to construct railways in the Province of Nova Scotia extended to the county of Hants as well as to other counties, and had a large effect in influencing public opinion, the advantage of which the hon. gentleman participated in. I am not in a position to say that the hon. gentleman made any promises with reference to this road; but he must see that the discussions which were going on throughout the Province gave him an advantage in the impression which was created that the Government was going to assist the road for which he asked assistance, as well as other roads, and, to that extent, it was in the interest of that county, as well as the Province. That was all I intended to convey.

To the Moncton and Buctouche Railway Company, for two miles of their railway from the west end of the portion subsidised by 49 Victoria, chapter 10, to Moncton, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$6,400.

Sir RICHARD CARTWRIGHT. How comes this little road of two miles to be wanted?

Mr. JONES.

Mr. POPE. It is part of a road that was built last year, and for which a subsidy was granted with the exception of these two miles.

To the Beauharnois Junction Railway Company, for thirty miles of their railway from St. Martin's towards St. Anicet, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$96,000.

Sir RICHARD CARTWRIGHT. Is this an existing road?

Mr. POPE. This road was chartered by the Legislature of Quebec. It extends from St. Martin's to St. Anicet, a distance of about 20 miles. It is estimated by the company to cost \$500,000. I have seen a large deputation from the district who told me that they were quite prepared to vote bonuses to the road, and I have no doubt it will be built.

Sir RICHARD CARTWRIGHT. Has anything been done on it?

Mr. POPE. No.

Sir RICHARD CARTWRIGHT. It would be satisfactory to know what the municipalities are going to do, because the road is not likely to go on, I take it, unless they contribute to it.

Mr. POPE. It is sure to go on, because it is assisted by the Grand Trunk Railway Company itself.

To the Harvey Branch Railway Company, for three miles of their railway from the southern terminus of the Albert Railway to Harvey Bank, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$9,600.

Sir RICHARD CARTWRIGHT. Where is this road?

Mr. POPE. It is in Albert county, New Brunswick. It is an extension of the Albert Railway. There was once a railway over these three miles, but it has fallen into such disuse that it cannot now be run.

Sir RICHARD CARTWRIGHT. Is it a branch of the Intercolonial Railway?

Mr. POPE. Yes.

Sir RICHARD CARTWRIGHT. As I understand, this is really a grant to repair three miles of railway that have fallen into disuse. That is a different proposition from building a railway.

Mr. POPE. I have refused in all cases to repair roads, and I would refuse this if it were not part of another road.

To the Brantford, Waterloo and Lake Erie Railway Company, for eighteen miles of their railway, from the town of Brantford to the village of Hagersville or the village of Waterford, or some intermediate point on the Canada Southern Railway, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$57,600.

Mr. POPE. This railway was chartered by the Parliament of Canada, 49 Victoria, chapter 20. It is designed to extend from Berlin to a point on Lake Erie, and will pass through a magnificent agricultural country. The company estimate the cost at \$126,000. They state that they are promised bonuses from the municipalities through which the line will pass, and which with this grant and their own resources will enable them to complete the work, and I have no doubt it will be completed.

Sir RICHARD CARTWRIGHT. Was a bonus granted to other portions of this road?

Mr. POPE. I do not think any other bonus has been granted. The claims of this road have been pressed upon me for a year or two, and I made a partial promise to some of my hon. friends last year that I would try and do something this year if the matter was brought before me. It has been brought before me by the mayor of Brantford and others.

Mr. PATERSON (Brant). This road is not part of the South Ontario Pacific Railway. That is an entirely different project. For this road a charter was got two or

three years ago. It runs southerly and connects with the Michigan Central Railway. It was intended originally to run north to intersect the Credit Valley division of the Canadian Pacific Railway, but since the new project has arisen that has been left in abeyance.

Mr. WILSON. If it be the intention of the Government to give aid to railways, this road should get it; but I would call the attention of the Government to the fact that there is another road, the line running from Plattsburg to Ingersoll, and from Ingersoll to Aylmer. I would impress upon the Government the necessity of taking that road into consideration.

To the Dominion Lime Railway Company, for seven miles of their railway from a point on the Quebec Central Railway, in the township of Dudswell, to the Dudswell Lime Company's quarries, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$22,400.

Mr. POPE. This is in connection with the Quebec Central. It runs through a very important section of country which has had no aid whatever from the Government. There are two important lime quarries and a granite quarry which this will open. It will be a portion of the Arthabaska county railway.

Sir RICHARD CARTWRIGHT. That is not built yet.

Mr. POPE. No; but the company are quite able to build it.

To the South Norfolk Railway Company, for seventeen miles of their railway, from Port Rowan to the town of Simcoe, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$54,400.

Mr. POPE. The intention is to connect with the Grand Trunk Railway, which, it is supposed will operate the road after it is built. They have assistance from the municipalities, and with this assistance they feel quite safe to build the road.

To the Jacques Cartier Union Railway Company, for extending and completing their railway, a subsidy of \$40,000.

Mr. POPE. The railway was subsidised to the extent of \$200,000. In the arrangement with the North Shore Railway this whole subsidy was consumed; they had not completed their road to the point described.

Mr. MITCHELL. I can give the Minister of Railways a little explanation in explaining this item. This road, subsidised by the Government, was bought by the Grand Trunk Railway when they bought the North Shore Railway in order to keep it out of the hands of the Canadian Pacific Railway, and have a monopoly of the Quebec trade. When they agreed to sell the North Shore road on the proreure of the Government, influenced by the Quebec members, who met in room 8, when the First Minister was taken by the throat, metaphorically speaking, this little arrangement of the Jacques Cartier road was part of the scheme which the Grand Trunk Railway put in, and for which they were paid some \$200,000. When the Canadian Pacific Railway were forced to take over that road against their will, and the Grand Trunk Railway forced to sell it against their will, in order to placate the Quebec members, headed by the Secretary of State, the Government had to bring pressure on both these important interests to have the matter settled; and when the Canadian Pacific Railway took over the road, they consented to pay the whole cost, and rejected the Jacques Cartier road. The Grand Trunk Railway kept the road, and in his annual return, president Tyler took credit for the fact that they had made nearly \$100,000 profit out of the deal on the North Shore, and had the Jacques Cartier to the good. Now they come in, and we may as well understand it, and the Grand Trunk are getting that \$20,000 of a bonus to enable them to continue and extend a road which the Canadian Pacific Railway considered so useless that they would not have it in the deal though they were getting it for nothing.

Mr. DESJARDINS. I do not know all about the past history which has been related by my hon. friend the mem-

ber for Northumberland (Mr. Mitchell) especially as to what occurred in No. 8, but what I know is that the line of the Union Jacques Cartier was built, and that the parish of St. Laurent was to suffer with it on account of that, but they accepted the transaction because they supposed it would serve their own traffic. When the arrangements between the Grand Trunk and the Pacific took place, that line was set aside and became useless for the purpose for which it had been built, and the Grand Trunk was refusing to continue trafficking with that line because it would not pay. So the parish of St. Laurent and the others interested in that railway, the parishes of St. Laurent and Sault au Recollet, came to the Government and asked for the extension of the line in order to reach a point where the line would really become an important local railway, that is to say, Sault au Recollet. There are large water powers which cannot be used because of the deficiency in communication, and so the Government helped in this way. It was really an indemnity to the parish of St. Laurent for the rights they had already acquired on that line. The House will remember that a subsidy of \$200,000 had been granted towards the building and extension of that line through Sault au Recollet to St. Vincent de Paul, which amount was afterwards used by the Government to carry the transfer of the North Shore line to the Pacific, so out of the \$200,000 that line is left with the \$20,000 to continue and perfect it. I think it is a very fair grant.

Mr. MITCHELL. I do not object at all to the granting of the vote. The only thing is that I think the House is entitled to information; and, as the hon. gentleman who seems to be leading this side of the House asked for information which the Minister of Railways seems to be lax in giving, I thought I would assist him in placing it before the House. I know the locality. I have often driven out to the Back River. It is a very pleasant road, and a very nice drive. There is not much business, but it would be useful to extend it.

To the Teeswater and Inverhuron Railway Company, for twenty-four miles of their railway from Mount Forest to Walkerton, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$78,800.

Sir RICHARD CARTWRIGHT. Is this constructed in part?

Mr. POPE. No, it connects at Mount Forest; then it is intended to go on to Walkerton.

Sir RICHARD CARTWRIGHT. Where is the terminus to be finally?

Mr. POPE. At Inverhuron. At present it is at Walkerton.

Sir RICHARD CARTWRIGHT. That will mean a further subsidy, as a matter of course?

Mr. POPE. Yes.

Sir RICHARD CARTWRIGHT. What is the total length?

Mr. POPE. It will be about twenty miles longer.

To the Oshawa Railway and Navigation Company, for seven miles of their railway from Port Oshawa towards Raglan, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$22,400.

Sir RICHARD CARTWRIGHT. What is the object of this little bit of a spur here?

Mr. POPE. This is for a short line of railway. The hon. gentleman knows better than I do that the town of Oshawa is a very important town, and that there is a great deal of manufacturing of all kinds going on there. This railway, in the first place, is to reach the railway running through there and then to be extended to the lake.

Sir RICHARD CARTWRIGHT. Oshawa is only two or three miles from the lake.

Mr. POPE. It is said to be seven.

Sir RICHARD CARTWRIGHT. Are the town of Oshawa the parties who contribute the balance of the money?

Mr. POPE. Oshawa is going to contribute pretty largely.

To the Chicoutimi and Lake St. John Railway Company, for thirty miles of their railway from Lake St. John towards Chicoutimi, or from Chicoutimi towards Lake St. John, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$96,000.

Sir RICHARD CARTWRIGHT. That is very vague.

Sir CHARLES TUPPER. That is an extension.

Mr. POPE. No, that is not an extension. It is an entirely new line to connect with the Lake St. John Railway.

Sir RICHARD CARTWRIGHT. Apparently it may begin either at Lake St. John or at the other end.

Mr. POPE. It does not matter where it commences. When they come to make the contract that question is arranged.

Sir RICHARD CARTWRIGHT. Is the distance only thirty miles? I think there must be another thirty.

Mr. POPE. It is seventy miles.

Sir RICHARD CARTWRIGHT. So it means really a grant more than double than if they proceed.

Mr. POPE. If they go on with this and open up that country, I shall be most happy, if I am here, to make a further grant to that road.

Mr. MITCHELL. You do not intend to leave, do you?

Mr. POPE. I am thinking that over.

To the Great Eastern Railway Company, for thirty miles of their railway, from the River St. Francis to the Arthabaska Railway, at St. Gégouire station, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$96,000.

Mr. POPE. This fills in a gap between a piece of railway which was built last year and the Arthabaska Railway.

Mr. MITCHELL. Where is the Arthabaska? In the North-West?

Mr. POPE. Not quite. It is in a most celebrated part of Canada. Part of it is in the Eastern Townships. When I say that, I know the hon. gentleman will be satisfied.

To the Ontario and Pacific Railway Company, for six miles of their railway, from the northern end of the portion subsidised by 47 Victoria, chapter 8, to the town of Perth, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$19,200.

Mr. POPE. That is just to enable them to go on.

Sir RICHARD CARTWRIGHT. Have they built the remainder?

Mr. POPE. They have built a portion of it, and they want to get to the town of Perth, to connect with the railway there. They have not built the remainder, because the whole line that they have chartered is 400 or 500 miles long. They reported to me that they had commenced the work last year between this and Cornwall.

Sir RICHARD CARTWRIGHT. The hon. gentleman does not know how much is constructed?

Mr. POPE. I do not.

Sir RICHARD CARTWRIGHT. Is any of it in running order?

Mr. POPE. No, and not a dollar has been paid on it.

Sir RICHARD CARTWRIGHT. The hon. gentleman has ground to believe that it will go on?

Mr. POPE. I do believe so as regards this point. I do not think they are very likely to build the whole of it.

Mr. POPE.

To the Caraqueet Railway Company, for six and one quarter miles of their railway from Lower Caraqueet to Shippegan, in lieu of the subsidy granted by 49 Victoria, chapter 10, a subsidy not exceeding in the whole \$32,000.

Mr. POPE. This is a substitute for a subsidy already granted, and this is to complete the line.

Sir RICHARD CARTWRIGHT. What was the subsidy for which this is substituted?

Mr. POPE. \$3,200 for ten miles and this is to enable then to extend it to an important point on the lake.

Sir RICHARD CARTWRIGHT. Is this an addition or a diminution? The hon. gentleman says for 10 miles, and now we are granting for 7 miles.

Mr. POPE. It neither adds nor diminishes. It is not a variation of the former route.

Mr. MITCHELL. This seems to be doubling up the road and giving \$4,500 instead of \$3,200 per mile, making the distance less, but the outlay is just the same. Can the hon. gentleman tell whether this line is near navigable waters on an ocean or bay?

Sir CHARLES TUPPER. Yes, it begins at Shippegan.

To the St. Lawrence and Lower Laurentian Railway Company for the section of their railway from Grand Piles, on the St. Maurice River, to its junction with the Quebec and Lake St. John Railway, in lieu of the subsidy granted by 47-49 Victoria, chapter 59, for a line of railway from Grand Piles, on the St. Maurice River, to its junction with the Lake St. John Railway—a distance of about fifty miles, a subsidy of \$217,600.

Mr. POPE. This is the extension of a line that was subsidised last year. Nothing of it has been completed. Surveys have been going on, and they expect to commence early this season.

Sir RICHARD CARTWRIGHT. What are their means? Have they municipal bonuses or private means?

Mr. POPE. They expect a local subsidy, and with this subsidy and their own means, they hope to be able to build the road.

Sir RICHARD CARTWRIGHT. This is a very considerable increase in the mileage as compared with other roads. A subsidy of \$217,600 for 50 miles is something like \$4,200 per mile instead of \$3,200.

Mr. POPE. No, \$3,200 per mile is the subsidy. There are not 50 miles, there are only 22 miles. That is the old subsidy. It is found to be a very difficult road. Some two years ago exactly the same vote was given, only it was not so clearly defined.

Mr. MITCHELL. This is really a bonus of \$4,352 per mile.

Mr. POPE. It is exactly the same vote that was taken before.

Sir RICHARD CARTWRIGHT. All the same, the fact remains that this is a departure from all the other grants made here, apparently, except one. Almost all the others are confined strictly to \$3,200 per mile. This will be made a precedent for granting an increased subsidy if there is any special difficulty. You are not supposed to overgo \$3,200 per mile.

Mr. POPE. No, we do not. There must be something very special if we do, and this is very special, because it is a very difficult road. They have built twenty miles, which will be of no use, and unless they build the rest, the shorter distance will be better for the public, and will cost them as much as the longer one.

Mr. MITCHELL. I think the principle is a bad one. It will be quoted hereafter, and it will be difficult for governments to resist claims of the same character. I look with some suspicion upon this vote.

To the Lake Temiscamingue Railway Company, for four short sections of railway, in all about two miles in length, to overcome the rapids of the Ottawa River, known as "La Mi-Charge," "La Cave," "Les Erables," and "La Montagne," and for the construction of wharves and landing stages at these rapids, to connect the Canadian Pacific Railway at Mattawa with Lake Temiscamingue by steamboats, railways and other works (in lieu of a portion two miles in length, out of the eight miles of railway subsidised by 48-49 Victoria, chapter 59, under which about six miles of railway have already been built from the foot of Long Sault proper to the foot of Lake Temiscamingue, and in lieu also of the subsidy granted by 49 Victoria, chapter 10), a subsidy of \$12,400.

Sir RICHARD CARTWRIGHT. Considering the enormous objections the hon. gentleman had to mixed railway and water stretches, this seems rather strange.

Mr. POPE. There is no money in the vote at all. The money has been expended under the vote, but we could not pay it because it was not clearly defined how it was to be paid.

Sir RICHARD CARTWRIGHT. Is it simply for the convenience of the lumber interests in that region?

Mr. POPE. There is a very fine settlement up the Ottawa River.

Mr. BRYSON. I may, perhaps, be permitted to explain with reference to these water stretches. In the year 1885, I had the honor of introducing a deputation composed of the president of the Temiscamingue Colonisation Company and his directors, to the Minister of Railways. We urged upon him the necessity of opening up those water stretches by subsidising portions of the line, and in the Session of 1885 the Government subsidised a portion of the road which ran from the foot of Lake Temiscamingue to the head of Lac de Sept Lioux, a distance of about six miles. The subsidy was granted to the extent of \$25,000. Since that time the different water stretches have been utilised, and it has been found absolutely necessary to construct a small line of railway along the different points of the rapids, for instance, at the rapids "La Montagne," "Les Erables," "La Mi-charge," "La Cave," the water stretches are utilised, and there is in all a distance of two miles of railway. I may say that it is very commendable on the part of the Government to come forward at this period and give an additional subsidy.

Sir JOHN A. MACDONALD. Carried.

Sir RICHARD CARTWRIGHT. I think it is only reasonable we should get the information. What the hon. gentleman is saying is very interesting. But this again is a very special departure. There will be absolutely no end to the applications that may be made.

Mr. MITCHELL. This is for the purpose of connecting several stretches of water to enable lumbermen to bring their timber over. I think the object is a good one, and I do not oppose the vote.

To the Carillon and Grenville Railway Company, for twelve miles of their railway from St. Eustache to Sault au Recollet, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$38,400.

Sir RICHARD CARTWRIGHT. Please explain the vote.

Mr. POPE. It is for the Carillon and Grenville Railway; the road is of the length of twelve miles. It will make a connection between two pieces of railway.

To the Minudie Branch Railway Company, for five and a-half miles of their railway from its junction with the Joggins Railway, near the River Hebert Railway bridge, to the village of Minudie, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$17,600.

Sir RICHARD CARTWRIGHT. Is this a constructed road? Is it being constructed by a railway or by private enterprise.

Mr. POPE. Nothing has been done so far.

Sir RICHARD CARTWRIGHT. Who is responsible for its construction?

Mr. POPE. A charter has been obtained from the Local Government of Nova Scotia, and the company expect to obtain from that Government a subsidy towards the construction of the five miles.

Mr. MITCHELL. I desire to call attention to one feature that struck me last night in connection with the vote of \$70,000 for wharves in Nova Scotia. The explanation given was that the engineer of Public Works had been directed to discriminate between works of a purely local character and those for the benefit of the Dominion. I am not opposing this policy or expressing an opinion on it; but I want to point out where it is going to land us. The principle established by last night's vote, that the Provinces shall be recouped by the Dominion for money expended on public works declared to be for the benefit of the Dominion, will, no doubt, be applied to railways, and, if so applied, there will be no end to the liability involved. I do not offer any opinion as to the justice of it or not. But I call attention to this fact, that it is impossible to know where it will land us. Claims will be made by the different Provinces, and Ontario has already claimed twenty millions, and the principle on which that claim is based was acknowledged by last night's vote. I am afraid this policy is going to cause grave complications in the future.

To the Montreal and Champlain Junction Railway, \$3,200 per mile, not exceeding \$64,000.

Sir RICHARD CARTWRIGHT. There are no details of any kind given.

Mr. POPE. This is an extension of the road built by the Grand Trunk Railway. I think it is from Brousseau station to Dundee. It is proposed to build this extension for the purpose of tapping the trade of northern New York and taking it to Montreal and the Maritime Provinces.

Sir RICHARD CARTWRIGHT. How many miles are to be built for \$64,000?

Mr. POPE. It is all to be completed, 23 miles.

Sir RICHARD CARTWRIGHT. What conditions are attached to this grant?

Mr. POPE. That 23 miles shall be built.

Mr. MITCHELL. It is simply a sop given to the Grand Trunk Railway, which has been hardly used by the Government lately, the Canadian Pacific Railway having had everything.

To the Cornwallis Valley Railway Company, for thirteenth miles of their railway from Kentville to Kingsport, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$41,600.

Sir RICHARD CARTWRIGHT. Is this a *de facto* road?

Sir CHARLES TUPPER. This is a branch of the Windsor and Annapolis Railway to a shipping point on the Basin of Minas, Kingsport.

Sir RICHARD CARTWRIGHT. It is owned by that company?

Sir CHARLES TUPPER. No, it is to be constructed by the Cornwallis Valley Company, which has been organised for the purpose.

To the Nova Scotia Central Railway Company, for thirty-four miles of their railway a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$108,800.

Mr. EISENHAUER. I was very much surprised to notice that the Government had failed to fulfil their promises made last Session in regard to the local company. This will be a great disappointment to the people of Annapolis and Lunenburg as well as to the railway company. The Minister of Railways said last Session that he regretted "that he had not been informed of the importance of this road earlier, so that this road would have been placed in the

list of those subsidised by this Bill. However, the Government would come down with a measure of relief next Session." Further on he stated that this was a very important road, and after hearing all that had been said he felt that, perhaps, the Government ought to have included this road in the Subsidy Act. And again he said that next Session the Government would come down with a measure of relief for that road. Now, after admitting all this, they only subsidise part of the line, and that, I think, must be very injurious to that company, and the road will be delayed for at least a year, unless we get a definite promise from the Minister that he will subsidise the line next Session.

Mr. POPE. I should be very sorry to injure the hon. gentleman, but if he urges it very hard I shall have to strike this out.

Mr. EISENHAEUER. I am not complaining for myself, but I think it is due to the company, as well as to the county, that we should understand whether the promise of last Session is to be kept. It really was a promise.

Mr. MILLS (Bothwell). I think we are entitled to know.

Mr. EISENHAEUER. I understood the hon. gentleman to say, in a private conversation, that it was the intention of the Government to provide for a subsidy to this road, and, if he will say so now it will be satisfactory. I think the hon. gentleman should answer.

Mr. JONES. The Minister of Railways need not think he can bluff members of the House by threatening to withdraw votes which he has deliberately placed in the Estimates. That has been attempted on two or three occasions, but hon. gentlemen need not think that hon. members on this side will be prevented from criticising these resolutions by any such remarks as the hon. Minister of Railways has just used. The hon. gentleman finds himself in a difficult position, and to get out of the difficulty he attempts the game of bluff, but that is well understood. This matter is one which has been pending for a long time. It was pending during the time of the late member for Lunenburg, who, we are told, represented that county with great ability and fidelity. But he does not seem to have had influence or ability enough to be able to induce the Government to subsidise a road which the Minister now admits was in the interests of the country. It was also understood that that gentleman was sent for here in the last part of the Session, in order that he might bring such influence as he was supposed to possess—but which he failed to exercise when he was in the House—to bear upon the Government to carry out their promise of last Session. The railway is 78 miles long, running from Annapolis to Lunenburg. Previous to the last election, and after Mr. Kaulbach had failed to secure from the Government, of which he was such a consistent and ardent supporter, any actual subsidy, he obtained from the Minister of Railways a letter which he exhibited in the county of Lunenburg, pledging the Government to a subsidy for the whole line of railway during this Session, and that letter was turned round at the corner and endorsed "I approve of this.—John A. Macdonald."

Mr. POPE. Read it.

Mr. JONES. I have not got it, but the hon. gentleman will not deny that such a letter was addressed to Mr. Kaulbach, approved by the leader of the Government.

Sir JOHN A. MACDONALD. Where is the letter.

Mr. JONES. It was shown through the county during the election in the vain attempt to influence the electors to return a supporter of the Government. Having failed in that attempt, they now turn round and say they are going to give a subsidy for only 34 miles. The company went to

Mr. EISENHAEUER.

New York and raised \$60,000 or \$70,000 on the faith of the promise which was made, and their money has been expended on the work, and now they are told that a subsidy would be granted on only 34 miles of the road. At first I believed it was the intention to limit the expenditure to the county of Annapolis where it would be best calculated to assist the hon. gentleman in view of a certain contingency in that county, I say that this failure of the Government to keep their promise will paralyse the whole undertaking. It is a breach of faith on the part of the Minister and the Government, because they have it in black and white, endorsed by the First Minister, whose approval of a matter of that kind, of course, carries great weight with hon. gentlemen on that side. I am informed that this refusal of the Government to carry out their promise will paralyse the efforts of the company and put them in a very embarrassing position, so that they cannot go on at all. If it is not too late, I think the Minister should reconsider this matter, and deal with that road in the same way which he is dealing with others which are of much less importance.

Sir CHARLES TUPPER. I am much inclined to think that the hon. gentleman's object is to get this grant struck out of the resolution. I believe that is the object which the hon. gentleman has in view. The hon. gentleman knows that Mr. Kaulbach, the late representative of the county of Lunenburg, pressed the construction of this road upon the Minister of Railways in the most urgent and earnest manner. He went to every member of the Government, and year after year he urged upon them the great importance of the construction of this road. It was rather a large undertaking; it involved a considerable expenditure of public money, but he represented that his constituents in the county of Lunenburg were extremely anxious that the road should be constructed. Finally the urgent entreaties and strong representations made in this House and out of it, as to the importance of having this road constructed, induced my hon. friend the Minister of Railways and the leader of the Government to express the intention of asking this Parliament for the means of constructing it. The Government supposed that the people of Lunenburg attached great importance to that road; but they found that when Mr. Kaulbach went back to the county, the gentleman who had succeeded in obtaining this promise of support from the Government for the construction of the road, was defeated, and that the county of Lunenburg had sent a gentleman here to oppose the Government that had expressed its desire to construct the road. The Government would, therefore, be perfectly justified in accepting the action of the people of Lunenburg as a reason for not proceeding with this work, and in holding to the conviction that they did not wish it done. As the Government are prepared to give a certain amount of aid, I think, looking to the future construction of the road, that ought to satisfy hon. gentlemen opposite. But I believe, from the tone of the speech made by the hon. member for Halifax (Mr. Jones), that he is very anxious that the Government should strike out this grant, as I think the Government would be justified in doing after the manner in which it has been received. As to the hon. gentleman's references to the future of Nova Scotia, which I think it was somewhat indelicate for him to make, if he is as well prepared to meet his constituents in the county of Halifax, which he will probably be called upon shortly to do, as I or anyone standing in my place would be to meet the people of Cumberland, he would be a very fortunate man.

Mr. JONES. The hon. gentleman says that this railway had engaged the attention of the Government for a long time prior to the representations of the late member for Lunenburg. This is in singular contrast to the statement made by the Minister of Railways at the close of the last Session, who, in reply to the hon. member for Digby, said

that he regretted very much that the subject had not been brought to the attention of the Government. The late member for Lunenburg seems to have interviewed every member of the Administration except the Minister of Railways, and it appears that that gentleman was such a subservient follower of the Administration that they could afford to treat him with contempt, knowing that they could always rely upon his support. They found no reason for pledging themselves to make provision until they found that they had to do so in view of the elections coming on. But that is a point which they will have to settle with the people of the two counties of Annapolis and Lunenburg. But the people of those counties will be very much amazed to find that the Government had disregarded the written pledge of the hon. Minister to aid this road this Session, and there is no excuse for their not carrying it out. With regard to what the hon. gentleman said about the future, I hope he will not be very much worried on my account. If he is disposed to lecture hon. gentlemen as to the propriety of forecasting the future, I hope he will administer a little parental advice to the gentleman in this House representing the county of Pictou, who occupies a close relation to him. I recollect that, in the early part of this discussion, that gentleman made reference to the more than probability, as he was good enough to say, of my having to face the electors of Halifax. Therefore, whatever indiscretion there was on my part in referring to the future—and I do not intend to take the hon. member for Pictou as an example for me in that matter, or anything else in my political career—the hon. gentleman had better confine his advice and his admonitions to the narrower circle to which I draw his attention. With reference to the ultimate result of the elections, perhaps if I had all the adventitious aid which the hon. gentleman has successfully managed to obtain for himself in Cumberland in times gone by, as well as in the late election, I might have been in this House, if I had been so anxious to be here, during the whole time. We know by what means the hon. gentleman has always carried the county of Cumberland. We know well that on previous occasions the hon. gentleman had men there to exercise an influence which was more acceptable than himself, and stronger than himself—an influence to which he owes his election on many previous occasions as well as during last February; and I think that when these explanations come to be made before the proper tribunal, the hon. gentleman will not be in a position to take as much credit to himself for his strength in that county as he has presumed to take here to-day.

For a railway from Woodstock towards Centreville, twenty miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$64,000.

Sir RICHARD CARTWRIGHT. What sort of a road is this?

Mr. POPE. This is a new road, and is to run through a fine country. The work is generally very light. It is understood that there is to be a subsidy from the Local Government, which, with this subsidy, will enable the company to go on with the work. It is part of a road which connects with another road at the boundary line.

For a railway bridge over the St. Lawrence River at Oteau Landing, on the line of the Canada Atlantic Railway, a subsidy of 15 per cent. on the value of the structure, not to exceed \$180,000.

Mr. BEAUSOLEIL. I would like to ask the hon. Minister of Railways if his attention has been called to the claims of the Maskinongé and Lake Nipissing Railway. I understand that the company got a charter from this Parliament two years ago. They have applied to the Quebec Government for a land subsidy, and that Government have made a grant of 4,000 acres a mile for the construction of railways following that line, and were prepared to make the grant by Order in Council to this company. A memo-

randum has been prepared and sent to the Government and the members of the House, and a statement from the members representing that district was also forwarded to the Minister of Railways; and I am sorry that no attention has been paid to these representations, and that no provision has been made for that line. This railway is one of vast importance to the country, and especially to the Province of Quebec. I hope, if the Government are not prepared to grant a subsidy now, they will consider the question during vacation, and next Session put this railway on the same footing as the others.

Mr. POPE. There are a good many railways in the same position as this. This railway which is 400 or 500 miles long, asked for a subsidy of \$5,000 per mile. That was entirely out of the question. We had to consider the question of uniting as many pieces, of building as many links as we could, and giving smaller subsidies.

Mr. BEAUSOLEIL. I do not find fault with the Government for not granting a subsidy of \$5,000 a mile. The Government might not consider that a proper amount to grant, but that should not prevent them granting this road what is granted to others. This has been subsidised by the Quebec Government to the extent of 65 miles, and I would urge on the Dominion Government the necessity of also making a subsidy to procure the building of this branch.

Mr. PLATT. My attention has been called to the absence of any resolution with reference to another railway, which may be called a colonization road, and which will open up to a large extent the back regions of Ontario. I do not speak from a provincial standpoint. I regret that, in the discussion of railway subsidies, provincial lines should be drawn at all, for, in my opinion, we should consider these railways from the point of view of the benefit they will afford to the whole Dominion. The whole argument in favor of the Government railway policy is that it is the duty of the Government to construct such roads as will develop the undeveloped regions of the country. I have in my mind the proposed extension of the Ontario Central Railway, in which I am not directly interested, but which will open up a region of country not yet opened up. The bold policy announced by the Minister of Finance this Session, with regard to opening up the iron industries and the undeveloped regions of the country, justified us in expecting that a subsidy would be granted this line; and on the strength of that expectation, financial arrangements were made, which the absence of any provision in these resolutions will cause to fall to the ground. The policy of the Government has been such as to justify the promoters in expecting a grant. A bad policy may be well administered and become tolerable, and a good policy may be so administered as to become intolerable. The excuse of the Minister of Railways for not subsidising colonisation roads is that they are too extensive, and he has adopted the policy of satisfying, by grants to short branches, as many sections of the country as he can, in order to extend his political influence. I trust, however, that the Government will see the necessity of subsidising such lines as the Central Ontario and the Maskinongé and Nipissing. The roads subsidised by these resolutions are, in a great measure, connecting links, and in 9 cases out of 10 are built by rich companies through the rich portions of the various Provinces, where the people are able to build the roads themselves, if there is any absolute necessity for them. With regard to the general policy of the Government in the matter of subsidising railways, I have opposed that policy, but I claim that if we are to depart from the older and wiser plan of leaving these roads to be dealt with by the Provinces, let us follow the policy out to its full extent by subsidising lines which would develop portions of the country not yet opened up.

To the Lake Erie, Essex and Detroit River Railway Company, for 27 miles of their railway in lieu of the subsidy granted by the Act 49 Victoria, chapter 10, a subsidy not exceeding \$118,400.

Mr. MITCHELL. I see there is a doubling up in this. The vote last year was for a distance of 37 miles, and this year, although the amount is the same, the distance is only 27 miles.

Mr. CHARLTON. Is it an actual subsidy of \$4,014 a mile?

Mr. POPE. Yes.

Mr. CHARLTON. I thought the policy was not to exceed \$3,200 per mile.

Sir CHARLES TUPPER. Except under very exceptional circumstances.

Mr. POPE. It was impossible for them to build the road with that subsidy. If the House thinks the vote is improper, I am willing to strike it out.

Resolutions reported and concurred in.

Mr. POPE moved for leave to introduce Bill (No. 170) to authorise the granting of subsidies in aid of the construction of lines of railway therein mentioned.

Motion agreed to; Bill read the first and second times, and House resolved itself into Committee.

(In the Committee.)

On section 1,

Mr. MILLS (Bothwell). I desire to ask whether this Harvey Branch Railway Co., where three miles of road are to be subsidised, has yet been built, or whether it is for improving a road which has been already in operation for the past four or five years. I understand that this is already constructed, and has been in operation for four or five years, that it terminates in a ship yard and was built in the interests of the ship yard, and I want to know if this amount is to be expended upon a line which is already in operation?

Mr. FOSTER. The Albert Railway was built very largely by means of help from the municipalities through which it passed, and it had no assistance from the Government. This is a branch from the main line. My hon. friend seems to think it runs simply to a mill. I am informed that it runs through a very good section of country, which is thickly settled. The road was partly built some time ago, and at present it is unrailled, and this is to rail that part of the road and make it a part of the Albert railway.

Mr. MILLS (Bothwell). It is, then, to rerail the Harvey Branch which has been in operation four or five years.

Mr. FOSTER. You may say it has been in operation, but it has been a very mild kind of operation indeed.

Sir RICHARD CARTWRIGHT. I was not in the House when the item of 15 per cent. on the Canada Atlantic bridge was put through. What is the policy of the Government as to these bridge structures? Is this 15 per cent. the sum they intend to vote for bridges of an important character at railway crossings, and how do they arrive at 15 per cent.? What is the reason for selecting that particular proportion?

Mr. POPE. The reason I selected that was because I thought it about the same as we were giving to the road, that it corresponded to \$3,200 a mile.

Sir RICHARD CARTWRIGHT. On the supposition that these railways would cost \$20,000 a mile?

Mr. POPE. I stated that this would only be given to bridges which cost \$100,000 or upwards.

Sir RICHARD CARTWRIGHT. This a matter of some consequence. Do I understand that the hon. gentleman

Mr. PLATT.

has laid down the principle that this grant is to be made to no bridges costing less than \$100,000?

Mr. POPE. Yes.

Mr. LANGELIER (Quebec). Do I understand that, according to the policy of the Government, they will be prepared to grant the same assistance to the Quebec bridge?

Mr. POPE. Every bridge will come on its own footing, but to my mind it is a very reasonable thing to do, to grant to a Quebec bridge or a Montreal bridge, or any other bridge 15 per cent., so long as we are subsidising the road of which the bridge forms a part, and I think this bears the same proportion to the cost of the bridge as \$3,200 per mile does to the cost of the road.

Mr. SCRIVER. Before this is carried, I would ask the Minister of Railways whether, with reference to the proposed grant to the Montreal and Champlain Junction Railway Company of \$3,200 per mile, any condition as to where or how this money is to be expended, will accompany this grant of money. The Minister is probably aware that the road is completed, at least to the Province line. The connection with the American system of railways is not completed, though it has been commenced. It would be very desirable that that connection should be completed, and that this money should be expended for that purpose.

Mr. POPE. I think I can satisfy my hon. friend in that matter. This is intended to complete that connection, to draw, as I have stated, the trade of northern New York to our line.

Bill reported.

Mr. POPE moved the third reading of the Bill.

Sir RICHARD CARTWRIGHT. Before you read that Bill for the third time, I think it is only due to my hon. friend the member for East York (Mr. Mackenzie), to read to the House the resolution which, according to the hon. Minister of Finance, is the germ and the true parent of this whole railroad aid system. What Mr. Mackenzie did was this:—

“Mr. McKenzie moved that it is expedient to authorise the Government to make a temporary disposition of iron rails, as they are removed from Government railways, by loaning them to companies constructing railways which may be regarded as feeders to Government lines, such rails to be returned weight for weight to the Government stores at the junction of such lines.”

All I can say is, Sir, that the grain of mustard seed has grown into a great tree, and the fowls of the air are going to lodge in its branches.

Motion agreed to, and Bill read the third time and passed

SUPPLY—CONCURRENCE.

House proceeded to consider resolutions reported from Committee of Supply.

On resolution,

Office of the Queen's Privy Council.....\$25,902 50

Mr. MILLS (Bothwell). I think here is an item that I understood the Minister of Finance was to be reduced.

Sir CHARLES TUPPER. I may say, Mr. Speaker, that considering the late period of the Session, and the indications I have received from the other side of the House that it would protract the Session at least a day or two to ask concurrence in these items to which exception has been taken by hon. gentlemen, I propose to drop all those items in the Estimates that have reference to the increase of salary of Mr. Pope. Therefore, I move to reduce this item by \$350.

Motion agreed to.

On resolution,

Department of Inland Revenue \$41,880

Sir RICHARD CARTWRIGHT. There was an explanation promised as to a matter to which exception was taken, and I think very justly—that was the enormous increase in the number of first-class clerks, of whom there were not less than nine in the Department of Inland Revenue. At the time that item was passed, full particulars of that increase were promised, and we desire to have from the Minister of Finance the reason why this enormous number should be considered necessary.

Sir CHARLES TUPPER. I think that explanation was given at a subsequent stage by the Minister of Inland Revenue, when the hon. gentleman may not have been in the House. The apparent large number of first-class clerks in the Department is due to the fact that there are so many branches—Excise, Weights and Measures, Canals, Slides, all of which have statistical and financial heads.

Sir RICHARD CARTWRIGHT. Out of a total of twenty-seven clerks in this Department there are nine first-class, and this is a decided abuse of the system, and is not warranted.

On resolution,

Railways and Canals, Canadian Pacific \$180,100

Sir RICHARD CARTWRIGHT. Under this head I notice the statement that under an Order in Council, dated 11th December, an allowance of \$2,000 is made to Mr. Schreiber. What is the intention of the Government with respect to this matter, when is this allowance to stop?

Sir CHARLES TUPPER. I assume the moment the work is completed. A vote of \$180,000 has been taken this year.

Sir RICHARD CARTWRIGHT. I understand that the Canadian Pacific Railway Company have had the whole work transferred to them.

Sir CHARLES TUPPER. The matter is not yet quite closed.

Sir RICHARD CARTWRIGHT. Is it expected to close in 1888?

Sir CHARLES TUPPER. Yes.

Sir RICHARD CARTWRIGHT. Then whatever may be done with respect to Mr. Schreiber, that particular vote will drop.

Sir CHARLES TUPPER. Yes.

On resolution,

Salaries and Contingencies of the Senate \$59,488

Sir CHARLES TUPPER. I move to reduce this amount by \$1,200 for salary to Clerk of French Journals and Deputy Sergeant-at-Arms.

Motion agreed to.

On resolution,

Contribution to Imperial Institute \$97,333 33

Sir RICHARD CARTWRIGHT. I understood when the vote was taken that this sum is our contribution in full for this purpose, and that we have not pledged ourselves in any shape or way to any annual grant.

Sir CHARLES TUPPER. The hon. gentleman will see by reference to the papers that that has been stated in the most explicit terms to the Committee who have been dealing with the subject.

On resolution,

Immigration, salaries \$229,525

Sir RICHARD CARTWRIGHT. With respect to this resolution, I need not trouble the House with a repetition of

the arguments which are advanced on this side as to the policy of this grant; but it appeared to me that in the report of the Immigration Committee, which was laid on the Table of the House, but not passed, there had been some serious error as to the numbers. I do not see how the Department arrived at the conclusion that there were only 67,999 unaccounted for. It appears to me that the returns laid on the Table from the Department show conclusively that there are something over 100,000. There is no possibility of reconciling the statement in the report of the committee with the statements contained in the census and the returns in the reports of the Department of Immigration. Those reports show clearly that considerably over 100,000 have to be accounted for instead of 67,000. If the Minister of Agriculture has any statement to make on the subject I shall be glad to hear it, because, taking the reports of his predecessors, I find myself quite unable to understand how these figures are arrived at.

Mr. CARLING. I must say that I was not prepared to answer the hon. gentleman's question, as I did not expect it. I can promise the information later on.

Sir RICHARD CARTWRIGHT. But when later on?

Mr. MILLS (Bothwell). On the judgment day.

Sir RICHARD CARTWRIGHT. The truth of the matter would appear to be this: That the report in question has been arrived at simply on speculative principles, and by a sort of hypothesis to the effect that large numbers of persons were improperly counted in as settlers who should not have been counted in. That appears to have been the explanation arrived at. We may as well admit the fact that, from whatever cause, over 100,000 people reported as settlers have gone. I do not see any way of getting out of that, and, therefore, I regret that the Minister cannot give a proper explanation of what appears, on the face of it, to be a very erroneous statement.

On resolution,

Quarantine \$77,988

Mr. SCRIVER. I would like to enquire with reference to the Lazaretto at Tracadie. Some years ago I listened with painful interest to a statement made by Mr. Anglin, then member for Gloucester, N. B., with reference to this institution; on that and other accounts I felt a good deal of interest in it. Is the number of these unfortunate lepers diminishing or increasing? I would also like to know whether any report is made by any medical officer in charge of that institution to the Dominion Government, or is it more directly under provincial control?

Sir CHARLES TUPPER. I am afraid I have not that information, but I believe the number of patients has been comparatively stationary for a considerable time. The hon. gentlemen are aware that all efforts to extirpate the disease or overcome it have proved abortive, and the only thing to be done is to keep the patients isolated as much as possible, and prevent the extension of the disease. The numbers, I think, are about the same; some die and some take their places, and some new cases occur.

On resolution,

Pensions, Veterans of War of 1812 \$6,630

Sir RICHARD CARTWRIGHT. How many of these veterans remain?

Sir ADOLPHE CARON. There are 221 veterans receiving \$30 each, 49 pensioners receiving \$30 each, and one pensioner in Quebec receiving \$60.

On resolution,

Pensions, re Rebellion \$30,000

Sir RICHARD CARTWRIGHT. When this item was before the Committee I called the attention of the Minister

of Militia to the great apparent discrepancy between the pension paid to Mr. Swinburne, who received \$730 because his son was shot, and the pension paid to Mrs. Brown, who received \$250 because of her son, who was a lieutenant, having been killed in action. I requested the hon. gentleman to investigate the matter. He was good enough to show me the report of the officers in charge, but they do not appear to give any good reason for such an enormous discrepancy. I would not wish to diminish the allowance made to Mr. Swinburne, but Mrs. Brown seems entitled to more consideration than she has received.

Sir ADOLPHE CARON. My hon. friend will understand that the Department is guided altogether by the reports of the commission charged with the duty of investigating all these cases. It struck me also that there was a great discrepancy between these two cases. It appears from the papers that in the one case a farm was left behind, while in the other case there was nothing left. Capt. Swinburne was the sole support of his family, and when he died they were helpless. In all these cases the Department follow absolutely the recommendations made by the commission.

Sir RICHARD CARTWRIGHT. If the hon. Minister looks into the matter I think he will find that Mr. Swinburne had a salary equal, I should imagine, or more than equal to any income that could be derived from Mrs. Brown's farm. I am told that the matter attracted considerable attention in the part of the country where they belonged, Mr. Brown having been a lieutenant and Mr. Swinburne a captain. I shall not press the subject further than to inform the hon. Minister that the information given to me was that Mrs. Brown really required assistance almost as much as Mrs. Swinburne.

Sir ADOLPHE CARON. I can inform the hon. gentleman that after his remarks on these cases, I gave instructions to have them investigated *de novo*, so that if circumstances arise to justify the Department in increasing the allowance to Mrs. Brown we will do so.

On resolution,

Mrs. Delaney, wife of Indian Agent killed at Frog Lake. \$400

Sir RICHARD CARTWRIGHT. If the Minister of Militia will look at his notes, he will find he promised some explanation in respect to Mrs. Delaney and Mrs. Gowanlock. The question was raised as to whether some allowance should not be made to Mrs. Gowanlock, whose husband lost his life.

Sir CHARLES TUPPER. I made the enquiry, and the answer was that, in the one case, it was the life of an official, and in the other, that of Mrs. Gowanlock, her husband was not a government official.

Mr. BARRON. I understand that Mr. Gowanlock had been employed by the Government to go there, and establish a mill for the benefit of the settlers. He was to that extent in the employ of the Government. He would not have gone, had he not been induced by the Government to go. In that respect the Government should recognise his widow's claim, more especially as he was really acting in the service of his country in repelling the Indians at the time of the massacre.

Sir CHARLES TUPPER. If the hon. gentleman will give me a memo. I will bring the matter under the notice of the Government.

Mr. WRIGHT. This matter has been brought under my notice, and I quite agree with the remarks of the hon. member for Victoria (Mr. Barron). I believe Mr. Gowanlock was in the service of the Government. Mrs. Gowanlock is a lady whom I know very well, she having been born and bred in the immediate vicinity where I reside, and I happened to meet her last Session and received communications from some friends of hers. It appears to me the circum-

Sir RICHARD CARTWRIGHT.

stances in her case and Mrs. Delaney's are very similar, and I will be glad if the Government will do something for Mrs. Gowanlock.

On resolution,

Royal Military College, Kingston \$59,000

Sir RICHARD CARTWRIGHT. I called the attention of the Minister of Militia to the fact that a number of the young men who had left the college had not paid the charge of \$100, and he was good enough to lay on the Table a statement of those who had paid. I observe one-half have paid and the other have not. The Minister stated there were some doubts in the Department just as to whether those who had not paid could be compelled to pay. It is, at all events, a very undesirable state of things, that when a dozen men leave the college under precisely the same circumstances, \$100 each should be exacted from one-half and that the other half should pay nothing. It would be better, in the interests of the public service, that the amount should be refunded to those who paid rather than such a distinction should be allowed to exist.

Sir ADOLPHE CARON. There was never any doubt in the minds of the Department as to our legal right to charge the \$100. The only question was whether we could recover this amount. Under the circumstances I do not see how it would be possible to refund it. It has gone into the Treasury.

Sir RICHARD CARTWRIGHT. I would be very happy to suggest the way: the Minister of Finance can move that the \$600 or \$700 be refunded.

Mr. JONES. The hon. gentleman says there is a legal right for charging this amount; if so there must be a legal right to collect it, and that legal right must still exist with reference to those who have not yet paid. It would, at all events, be better to adopt the suggestion of the hon. member for South Oxford and refund the amount to those who have paid, rather than have the distinction that now exists.

On resolution,

Sault Ste. Marie Canal..... \$1,000,000

Sir RICHARD CARTWRIGHT. Have tenders been asked for this work?

Sir CHARLES TUPPER. Not yet.

Sir RICHARD CARTWRIGHT. Have the engineers' reports been received?

Sir CHARLES TUPPER. There have been elaborate reports made some time ago, on two occasions, and Mr. Page is now considering the whole question fully. Very full plans, and surveys, and estimates are in the Department, and Mr. Page is considering the whole thing.

Sir RICHARD CARTWRIGHT. Is the hon. member aware whether these original reports were for the same depth of water as that which is now required? The size of the vessels navigating these lakes has increased so enormously that it would be important to know that. I think the hon. gentleman stated that eighteen or nineteen feet of water was required in this canal, which I would suppose would mean a depth of twenty feet.

Sir CHARLES TUPPER. Of course, this vote is taken with a view of having a first-class canal.

Sir RICHARD CARTWRIGHT. It is decided to go on with it, is it?

Sir CHARLES TUPPER. That is the intention.

On resolution,

Rideau Canal, Swing Bridge at Smith's Falls.....\$10,000

Sir RICHARD CARTWRIGHT. The Minister of Finance promised some information in regard to that, as it was thought the amount was rather large.

Mr. HAGGART. This is for the purpose of building a bridge over the Rideau Canal, in the village of Smith's Falls. I think \$10,000 would hardly build the bridge. I believe the municipality contribute a good deal towards it in the shape of approaches to each end of the bridge.

Sir RICHARD CARTWRIGHT. What was stated, if I recollect aright, was that a swing bridge was already in existence which it was proposed to remove.

Mr. HAGGART. There is a bridge below, but it is intended to build a bridge along the line of the main street.

Sir RICHARD CARTWRIGHT. When the matter was up for discussion, the hon. member was not present, and it was intimated that this was changing the bridge from one place to another. If it is building a new bridge, that is another thing, but if it is merely moving a bridge a hundred yards or so, it would not cost so much.

Mr. HAGGART. It is building a new bridge.

PROROGATION.

Mr. SPEAKER. I have received a communication from His Excellency the Governor General's secretary, informing me that it is His Excellency's intention to come down for the purpose of prorogation to-night at 8 o'clock.

Sir RICHARD CARTWRIGHT. Positively? Then we might save some money by protracting this discussion.

Sir JOHN A. MACDONALD. I am afraid that would not be successful.

SUPPLY—CONCURRENCE.

On resolution,

Repairs, Furniture, Heating, etc. \$115,000

Sir RICHARD CARTWRIGHT. I would ask the Minister of Public Works what he computes the average expenses incurred for a post office and custom house of the class that he is erecting so liberally throughout the Dominion to be?

Sir HECTOR LANGEVIN. In the larger places, not including, of course, the cities, the buildings would cost about \$1,600 to \$1,800, plus the fixtures and the furniture.

Sir RICHARD CARTWRIGHT. What about is the actual cost for heating and keeping such a building in repair?

Sir HECTOR LANGEVIN. I could not exactly say. The caretaker costs generally from \$350 to \$550. Then the heating of the building might cost about \$200, light, \$90, and contingencies, perhaps \$150; so that altogether the cost would be \$1,000 or \$1,200.

Harbors and Rivers, Ontario \$78,000

Sir RICHARD CARTWRIGHT. I will only make one remark about all these votes, and that is that the excellent intentions of the Minister of Finance have been terribly defeated in his Supplementary Estimates, for I observe that the most of them are about three times as much as he gave us to expect some time ago.

Sir CHARLES TUPPER. The Supplementary Estimates have not absorbed the balance that, in my statement, I showed to the House, as the estimated surplus a year hence.

Sir RICHARD CARTWRIGHT. I think a very considerable deal more will come out of these extra taxes than he informed us.

Subsidy to a line of steamers between France and Quebec \$50,000

Sir RICHARD CARTWRIGHT. Is there any further information about this?

Sir CHARLES TUPPER. I laid the Order in Council on the Table of the House. A steamer is now on her way, or has arrived.

On resolution,

Intercolonial Railway \$1,600,000.

Sir RICHARD CARTWRIGHT. I notice that in the ten months of this fiscal year, about \$2,500,000 have been expended. What is the estimate of the expenses for the remaining two months? Is it likely to bear any proportion to the cost for the preceding ten months?

Sir CHARLES TUPPER. Certainly not. That large amount was owing to the snow.

Sir RICHARD CARTWRIGHT. I suppose it would not be unreasonable to assume that the remaining two months would require about \$200,000.

Mr. POPE. I could not say.

Sir CHARLES TUPPER. I do not think it would be very far from that sum.

Mr. POPE. The expenses in connection with snow are estimated at \$250,000 for the winter.

Sir RICHARD CARTWRIGHT. Is that extra or the total amount?

Mr. POPE. Extra; we have never had anything approaching the quantity of snow since 1875.

Legislation, House of Commons—salaries, &c. \$3,727

Mr. SCRIVER. While we are upon this item I would like to call the attention of the Minister of Public Works to the inadequate accommodation provided for the men who attend to the pasting and despatching of documents for hon. members. The room in which they are forced to work is one of the most uncomfortable in the building, and my sympathies have been greatly excited more than once at the inconvenience and discomfort which they experience in doing their work. I think the employes in that room are perhaps the hardest worked of any in the buildings, and as I do not give them very much work to do myself, I feel more at liberty to speak of the matter. I would like, if it were possible, that some additional compensation should be given to those men, and I think as soon as possible they should be provided with another room.

Mr. CHARLTON. I would corroborate every word which has been said by the hon. member for Huntingdon (Mr. Scriver). If there are any employes of the House who earn their wages and do not eat the bread of idleness, they are the men who work in that room. Their work is harder, perhaps, than that of any other employe of the House.

Sir HECTOR LANGEVIN. As to the *locale* of those men, that will be taken into consideration in connection with the other suggestions made by hon. members with regard to accommodation for committees, and for certain bureaux. The question of indemnity will also have to be considered, but I am not in a position to say what will be done.

On resolution,

Franchise Act \$150,000

Mr. BARRON. I wish to draw attention to a matter which appears to me to be irregular. I see that Judge Boyd, of Toronto, gets a superannuation allowance of \$1,600, and I understand that the statute provides that when a judge is superannuated and is appointed to any public office under the Crown, the salary he gets in that office is deducted from his superannuation allowance.

Sir JOHN A. MACDONALD. Oh, no.

Mr. BARRON. I will read the provision of the statute:

"If any judge of a county court, after having continued in office as such judge for a period of at least ten years, becomes afflicted with some permanent infirmity, disabling him from the due execution of his office, and resigns his office, or if a judge of a county court, after having continued in office as such judge for a period of at least 25 years, resigns his office, Her Majesty may, by letters patent, under the great seal of Canada, grant to him a pension equal to two-thirds of the annual salary of which he was in receipt at the time of his resignation, to continue henceforth during his natural life.

"2. If any person, receiving a pension under this section becomes entitled to any salary in respect of any public office under the Government of Canada, such salary shall be reduced by the amount of such pension."

Sir JOHN A. MACDONALD. If the salary is larger than the pension, of course there will have to be a reduction; but the principle, I understand is this: A judge or any officer having a superannuation allowance may be called upon to do any work he is fitted for, and he must be paid for it over and above his superannuation allowance, but the sum so paid him with his allowance must not exceed what his salary formerly was. It would be a great pity if the Government could not avail themselves of the services of a retired judge in duties they are peculiarly fitted to perform.

On resolution,

Surveys of Indian Reserves in Ontario and Quebec...\$1,930

Mr. SCRIVER. I was very much pleased to learn that a deputation waited upon the Superintendent General of Indian Affairs not long ago with reference to the Indian lands in Dundee, which are occupied by settlers under long leases, and that the hon. gentleman was in favor of some arrangement under which those leases might be commuted. Having given some attention to this question, I am satisfied that such a commutation would be both in the interest of the Indians and the settlers, and I rise to express the hope that the hon. gentleman will give his early attention to the matter, and use his powerful influence to induce the Indians to consent to some reasonable term of commutation.

Sir JOHN A. MACDONALD. It is quite true I have seen the assessors, and I have also seen a series of deputations from the Indians. This question has occupied the attention of the hon. gentleman and of myself for some time. It is an exceedingly troublesome question. The difficulty is that the Indians have strict legal rights to all those lands. Leases were given, some for 30 years, and others for 99 years. The former have long expired, and the latter have also expired. The Indians say that they want their lands and that they will not have anything else, and according to the strict law they have a right to them. At the same time I think it would be exceedingly hard to take them away from the settlers who settled upon them under leases early in the settlement of this country. It was thought at the time those leases were given, that the Crown had no right to grant the estates in freehold, and they met the supposed difficulty by granting long leases, thinking, as we are apt to do, that a lease for 99 years was equivalent to a freehold. The settlers on those lands have made great improvements, and I think it would be a harsh and unwise proceeding to expel them. On the other hand, the Government are the trustees for those Indians, who say, we want our property, and therein is the difficulty. The only equitable mode of settlement is that suggested by the hon. gentleman, which I greatly favor, that there should be some commutation on the value of the estates, so that instead of depriving the settlers of their lands they should pay a reasonable sum in consideration of being allowed to retain the improvements they have made. I shall carry out my promises of taking up this question immediately, and hope to have it settled some way before next Session; and if we find there is no means of

Mr. BARRON.

bringing the parties to an amicable settlement, it will be in the power of the Legislature to cut the Gordian knot. The hon. gentleman knows an attempt was made years ago but failed. We must endeavor between now and next Session to get a commutation agreed upon between the settlers and the Indians.

Mr. SCRIVER. The hon. gentleman is in a measure mistaken with regard to the 99 years' leases. Very few have expired, and the great bulk of the tenants have the privilege of renewing them. Most of the 30 years' leases have expired.

RULES RESPECTING PRIVATE BILLS.

Sir HECTOR LANGEVIN moved that the report of the Special Committee appointed to assist Mr. Speaker in revising the rules respecting Private Bills, in so far as they relate to the incorporation, or to the amendments of the Acts incorporating railway companies, be adopted, and that the said rule be made a Standing Order of the House.

Mr. MILLS (Bothwell). There is another matter that I think the Government would do well to consider before we meet again, and consider some other rules of the House besides the one dealt with by the committee, and I refer to the time of our sitting. It does seem to me that we would greatly improve the proceedings of Parliament if we were to meet at an earlier hour than three o'clock in the afternoon, and if we were to avoid evening sessions, at all events, until towards the close of the Session. If we were to meet here and get through our committee work before twelve o'clock, and then meet in the House at one o'clock and sit till six, it seems to me we would be putting in a good day's work, quite as much as any ordinary individual is qualified to within twenty-four hours. We would then have our evenings to study the Bills submitted by the Government, and the private members would have an opportunity of reading the reports, and we would come here the next day prepared to deal intelligibly with the questions that are submitted for our consideration. Most members who take an active part in the proceedings of the House, are aware that we have little opportunity for the consideration of those important questions that are submitted to us, except when they are actually before us, and we propose to take some step with regard to them in the House; and this is all the more true because the measures of the Government are scarcely ever introduced in the early part of the Session when the members have more leisure than at a later period. As a rule, neither the members of the Administration nor members who have private business that they wish to submit to the consideration of Parliament, do so at a very early period. They give notice to the House, and then several days pass before these measures are before us, so that we have no opportunity of considering them at a time when we have the most leisure. Now, if we were to meet here during the hours of daylight, and were to undertake to transact our business within that time, and have the evening at our disposal, as they do in most other legislative bodies, I am satisfied we would get through more business in a shorter time, and in a more businesslike manner, and a great deal of that irritation in discussion which grows out of weariness and physical exhaustion, would be avoided. Now, I hold in my hand a statement—which I will not trouble the House at this moment with reading—showing the hours of meeting in all the representative legislative bodies of the world, and I believe this Parliament and that of the United Kingdom are almost the only ones where a large portion of the business is transacted in the hours of night. Now, I think we ought to have a reformation in that particular. I am satisfied

that we would improve our parliamentary proceedings, that we would increase the efficiency of this body, and we would be enabled to consider and deliberate with more care the public measures that are submitted to us. I earnestly press upon the attention of the Government the propriety of changing our practice in that particular, and I ask them at the next Session of Parliament to give a change of this sort a fair trial. Let us try the experiment for one Session and if hon. gentlemen find that it does not prove satisfactory, we can revert to the old practice again. But I am satisfied that if we were to adopt it for one Session, we would never go back to the barbarous practice that has hitherto prevailed with regard to the sittings of this House.

Sir JOHN A. MACDONALD. Would the hon. gentleman be good enough to hand to *Hansard* the statement that he speaks of?

Mr. MILLS (Bothwell). It is hardly in the state in which it could be handed to *Hansard*.

Sir JOHN A. MACDONALD. Then he would kindly correct it and hand it in at any time so that we can see it. It is important that we should see the action of other Legislatures. I have seen the experiment tried once or twice, perhaps two or three times, and both sides found that it was not successful. If an Opposition was not a very powerful Opposition, or was not imbued with the idea of removing the Government of the day, fixing an hour would do no harm. But our experience was—and the experience of the Government of Baldwin and Lafontaine was—that whenever an hour is fixed, and the Opposition had any party purpose to gain, a discussion always arose and was kept up until that hour. In Supply and matters of that kind, when they think that the Government might, perhaps, be thrown over, it was found that the practical obstruction of discussing until a fixed hour really rendered a day a lost day. A distinguished financier, who was a member of Baldwin's Government, stated that they could never carry anything until after one o'clock at night. However, the matter will be discussed between now and when we meet again. I would say that I do not see how any better opportunity of reading up the measure before Parliament would be gained by an adjournment before dinner time. If the Commons meet, say, at ten o'clock, they will sit until one, and then if they go to lunch and come back to Parliament at once, and keep in Parliament until six, and then go to their dinner, as a general rule the vast mass of members will not feel inclined to sit down to read dry Bills, dry measures, after dinner. If there were an evening lecture, or a soirée, or a theatre, or anything of that kind, I am afraid those attractions would draw away all except stern martyrs to duty like the hon. gentleman and myself. However, perhaps it might be well to try the experiment, and we have got an Opposition that has assisted the Government, after exercising, of course, their due right in criticising the measures and administration of the Government—I repeat that we have an Opposition now which has really assisted the Government. If we were always sure of an Opposition of the same kind, I think, perhaps, the experiment might succeed. But then you know with the accumulation of errors of the present Government, the hopes of the Opposition will gain strength, I am afraid, and if a fixed hour were settled that could not be overcome, I am afraid the measures of the Government would advance with very slow and cautious pace, and the acceleration which we have witnessed for the last week or ten days we would not see under those circumstances.

Mr. MILLS (Bothwell). I will read the following information respecting the sittings of other Parliamentary bodies to the House:—

	Hour of Assembling.	Hour of Adjournment.	Average Duration of Session.
Imperial Parliament.....	Average length of Sitting for Sessions 1880 to 1884 (inclusive)=8'42 hours.		
Austria (1884)— Upper House.....	11 a.m.	4 to 5 p.m.	} 3 to 4 mos.
Lower do	do	do	
Hungary (1884)— House of Magnates.....	10 a.m.	2 p.m.	} 4 months.
do Representatives	do	do	
Belgium (1881)— Senate	1 to 2 p.m.	4.30 p.m.	} 8 months.
Representatives.. ..	do	do	
Denmark (1884)— Landsting.....	1.30 p.m.	3.30 to 4.30.	} 196 days.
Folkething	1.00 p.m.	5.00 to 6.00.	
France (1881)— Senate.....	2 p.m.	6 p.m.	} 5 months.
Deputies.....	do	do	
Germany (1880)— Bundesrath	11 a.m.	4 p.m.	} 4 to 5 mos.
Reichstag	do	do	
Italy (1881)— Senate	2 p.m.	6 to 7 p.m.	} 6 months (less holidays.)
Deputies	do	do	
Netherlands (1883)— Upper	11 a.m.	4 to 4.30 p.m.	} 4 to 5 mos.
Lower	do	do	
Portugal (1881)— Peers.....	2 p.m.	5 p.m.	} 3 months.
Deputies.....	12 (noon).	do	
Spain (1883)— Senate.....	2 p.m.	6 p.m.	} 4 months.
Deputies	do	do	
Sweden (1884)— First Chamber.....	10 a.m.	2 p.m.	} Minimum. 4 months.
Second do	do	do	
Norway— Lagthing	10 a.m.	2 p.m.	} 4 to 5 mos.
Odelslating	(Sometimes from 5 to 8 p.m.)		
Switzerland— State Council.....	} 8 to 9 a.m.	2 p.m.	} 3 months.
National Council.....			
United States— Senate	12 (noon).	4.30 p.m.	} (Short session) 15 weeks.
Representatives.....	Sometimes from 7.30 to 10 p.m.		
New Zealand— Council.....	[Sit 4 days per week.] 2.30 p.m.	Average sitting 3 hours. do 7½ do	} 14 weeks.
Representatives.....	do		
Victoria— Council.....	[Sit 3 days per week.] 4.30 p.m.	Average sitting 3½ hrs. do 6 hours.	} Av. 64 days.
Assembly	1.30 to 4 p.m.		
New South Wales— Council.....	4 p.m.	Avg. sitting 2 hrs. 44 min. do 6 hours.	} 180 days.
Assembly	do		
Queensland— Council.....	} 1 to 3 p.m.	} Average sitting 6'49 hrs.	} 19 weeks.
Assembly.....			
Tasmania— Council.....	} 4 p.m.	} Average sitting 3 hours do 4½ do	} 21 weeks.
Assembly.....			
South Australia— Council	2 p.m.	Average sitting 2½ hrs. do 4½ do	} 27 weeks.
Assembly.....	do		

Sir RICHARD CARTWRIGHT. There is an important difference between then and now. At the time to which the hon. gentleman has alluded, members were paid by the day, and, unless I have been grossly misinformed, the proceedings were delayed under those circumstances. Now, members are paid by the job, and there is a general disposition to get through.

Sir JOHN A. MACDONALD. I thought the Government only were paid by jobs.

Sir RICHARD CARTWRIGHT. The Government may make by their jobs—that is quite another question. This difference, however, alters very materially the condition of things from that which existed in the right hon. gentleman's early parliamentary experience. I was not a member of the old House when that system prevailed, but I have heard that it was one of the causes of unnecessary delay that led to the Session being spun out. I think I have heard the First Minister state that was the case.

Sir JOHN A. MACDONALD. No doubt it was so.

Sir RICHARD CARTWRIGHT. Our present system offers strong inducements the other way, and I do not think in that respect the results that the hon. gentleman fears will be as likely to occur. It would be a very great improvement if our hours could be shortened. It is not conducive to the proper discussion of public affairs that very important questions should be debated at two, three or four o'clock in the morning. However, what I rose to call attention to was in regard to another matter on which there will be, except on the Government benches, much less difference of opinion. It will very greatly conduce to the convenience of members if the Government could see their way to fix, except in the case of a general election, some definite date early in the year for the meeting of Parliament. It is a matter of very great inconvenience to the majority of members to be summoned to Ottawa or kept here during May, June and July. It would very greatly tend to lessen inconvenience of serving the country in Parliament if a rule could be established that Parliament, bar the case of general elections, would meet some time in January. I am willing to concede a few days to the necessities of the Government knowing how it is myself. But I think we ought to have a standing rule that Parliament should meet not later than 31st January. Were that done, I believe in almost every case the House would rise by Easter or by first May, and I think that hon. gentlemen on both sides will agree with me in saying that were such a rule established it would be beneficial to the country and good for themselves, more particularly if the public were given to understand that we would adhere to our rules with respect to the introduction of Private Bills, and that gentlemen who wanted legislation must give notice in due time. I think many of the hon. gentlemen's supporters, as well as my hon. friends on this side, will be ready to press on the Government the desirability of fixing on some such rule as I have suggested, and I am quite sure after two or three years' experience of it we would never depart from it were it made a definite rule.

Sir JOHN A. MACDONALD. I quite agree with the remarks of the hon. gentleman in regard to Parliament meeting early in the year. On the principle that Parliament is summoned by the Crown, we could not fix by statutory enactment the time of the meeting of Parliament. But we came to a sort of agreement some years ago, that Parliament should meet at the end of January or in the first or second week of February at the latest, and I think that has generally been carried out.

Sir RICHARD CARTWRIGHT. I think it has been departed from. Last year we did not meet until 1st April.

Sir CHARLES TUPPER. On 27th February.
Mr. MILLS (Bothwell).

Sir JOHN A. MACDONALD. There was some reason which I cannot recall at this moment for the meeting of Parliament being postponed till 27th February. I remember that members from Ontario opposed the meeting of Parliament until after 24th January, on the ground that they were interested in the municipal elections. Here are the dates of the meeting of Parliament: 1867, November; 1868, April; 1869, February; 1870, February; 1871, April; 1872, March; 1873, October; 1874, March; 1875, 4th February; 1876, 10th February; 1877, 8th February; 1879, 7th February; 1880, 13th February; 1881, 12th February and 9th December; 1882, 9th February; 1883, 9th February; 1884, 17th January; 1885, 29th January; 1886, 28th February. So that we meet of late years early in February as a rule.

Sir RICHARD CARTWRIGHT. Still I think we might meet a little earlier. It would answer every purpose if a definite clear understanding was arrived at that, without grave cause, Parliament would meet at or about 1st February.

Sir JOHN A. MACDONALD. I agree with that.

Sir RICHARD CARTWRIGHT. When the House meets later, members suffer great inconvenience and loss. There is another reason which the Minister of Finance in his professional capacity, if I may allude to his professional capacity, will thoroughly appreciate. It is, that sitting late in hot weather is very injurious to hon. members who are compelled to remain in the House for many hours, and it should be avoided.

Mr. SCRIVER. I was not present when the Minister of Public Works made the motion now before the House for revising the rules relating to Private Bills, but I understand that he embodied a proposition to have a model Bill for railways, which is to be followed in all instances, unless some good reason for departing from it is presented; and that, in addition to all applications for railway charters, shall be accompanied by plans. I approve very much of the adoption of such rules. My limited experience in the Railway Committee satisfies me that a great deal of time has been lost through the want of such a Bill, and that we have chartered a great many companies when we had no plans presented to satisfy the committee that those projects were anything more than paper projects. I would, however, remind the hon. gentleman—because he was a member of the Quebec Legislature when I was a member, a good many years ago—that similar rules were adopted there, but they were not enforced. Time after time companies came before the committee without such plans as the rules required them to have, but for some plausible reason or other the rules were waived. I trust that if the Minister of Public Works continues to be—as I trust he will be as long, at least, as the present Administration is in power—the very efficient chairman of the Railway Committee, he will do all in his power to exact the rigid compliance with these rules.

Mr. AMYOT. Would it not be well to have a rule in this committee, as there is with regard to private companies, that the action shall be tried where the cause of action arose?

Sir HECTOR LANDEVIN. I think the hon. gentleman had better leave the model Bill as we have adopted it, and experience will teach us what other amendments should be made. I think the Bill will be a great improvement in the work of the committee of which the hon. gentleman is a member. He must have seen that without close attention to the work of the committee and long hours we could not have got through with the work of the Session, so that it became necessary to adopt a Bill of this kind for the purpose of curtailing our work. I think when the principal seat of a company is determined by the Act, the company

will be served there by any process of court which may be issued against them. However, that is one of those matters which may come before the committee when the Bill will be before us.

Mr. AMYOT. I am entirely in favor of the Bill; I think it is a great improvement.

Mr. DAVIN. I wish to call the attention of the House to a misapprehension on the part of the hon. member for Bothwell (Mr. Mills) last night. When the right hon. gentleman, the First Minister, was putting through his Bill extending the life of the North-West Council, the hon. member for Bothwell (Mr. Mills), I being absent for a short time, made the statement that I had introduced several Bills and that I had allowed them to slide. A similar statement was made in a paper with which I believe the hon. gentleman is connected. That statement on the part of the hon. member for Bothwell (Mr. Mills) is unjust to the Government and unjust to me. I put three Bills on the notice paper. With regard to one of those Bills, namely, the one dealing with the Torrens Act, every feature of it was adopted by my hon. and learned friend, the Minister of Justice. The principal feature of another Bill, dealing with homesteading in the North-West, was conceded by the hon. member for Cardwell (Mr. White), the Minister of the Interior. I know it was a misapprehension; I know the hon. member for Bothwell (Mr. Mills), is too fair and candid a man to wilfully make a misstatement in this House, but it illustrates the need of some reform in the direction indicated a few minutes ago by the hon. member, because it showed that the strain on his faculties has been such that he has been unable to observe what has gone on in this House; but it will be seen that with regard to two of those measures, the hon. gentleman's statement was not quite correct. In regard to the third measure, dealing with the establishment of Provincial Governments in the North-West Territories, I introduced that Bill as embodying the wishes of the North-West Council, expressed by resolution. I found, however, when I came down here, that my colleagues, who were in communication with their constituents, thought the time had hardly come for such a measure. I found there was a general feeling amongst members of the House that the time had hardly come for the establishment of Provincial Governments in the Territories, and I found that the Government held the same opinion. And, Sir, in the capital of the North-West Territories a meeting was held at which resolutions were passed. These resolutions were sent to me, and they stated emphatically that they were, on the whole, well content with the Government of the North-West Territories as it exists at present. Under such circumstances, I thought it would be impertinent on my part to attempt to push forward that measure. I have thought, therefore, that it would be desirable to let the hon. member for Bothwell (Mr. Mills) know the exact facts of the case, because, as I have said, his statement made here and elsewhere is unjust at once to the Government and myself.

Report respecting Rules for Private Bills concurred in, and Resolutions ordered to be made Standing Orders of the House.

THE SUPPLY BILL.

Sir CHARLES TUPPER moved that the House again resolve itself into Committee of Ways and Means to consider the following resolutions:—

1. *Resolved*, That towards making good the Supply granted to Her Majesty for the financial year ending 30th June, 1887, the sum of \$3,212,934.13 be granted out of the Consolidated Revenue Fund of Canada.
2. *Resolved*, That towards making good the Supply granted to Her Majesty for the financial year ending 30th June, 1888, the sum of \$23,512,661.96 be granted out of the Consolidated Revenue Fund of Canada.

Mr. McLELAN. I may say referring to a previous question by the hon. member for South Oxford (Sir Richard Cartwright) that, as near as I can get the information, the amount paid to the Canadian Pacific Railway for post office services, on the main line from Montreal to Port Moody is \$78,372.96. The total amount we paid to that line was \$221,707, and to the Grand Trunk \$295,190.

Motion agreed to, and House again resolved itself into Committee of Ways and Means.

(In the Committee.)

Mr. CASEY. Before the resolutions pass, I want to ask a question regarding the Labor Commission which was appointed some time before the meeting of this House, to enquire into the condition of laboring men. Although the House has been in Session for more than two months, we have as yet had no report from this commission. I want to ask the Government what the Labor Commission is doing, and when we are likely to have a report from it as to its proceedings. I suppose it has taken a large quantity of evidence. What evidence it has taken up to this time I think should have been submitted to the House; but I hope that that evidence, as well as whatever evidence it may take before the House meets again, will be submitted to the public during the recess.

Sir JOHN A. MACDONALD. The Labor Commission was appointed before the Government had come to the determination to dissolve the House. The moment we came to that determination, we thought it well to postpone the meeting of that commission, because if it had gone on to hold meetings it would be held, and justly held by the country, to be an electioneering machine. Therefore, it did not meet at all. I think the Government will likely appoint one or two more gentlemen on the commission, and they will set to work during the course of the summer. The commission has held no meetings and incurred no expense as yet.

Mr. CASEY. Will the Government see that the labor interest—the labor organisations—of the country are represented on the commission?

Sir JOHN A. MACDONALD. Oh, yes.

Committee rose and reported resolutions, which were read the first and second times, and concurred in.

Sir CHARLES TUPPER moved for leave to introduce Bill (No. 169) for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service for the financial years ending respectively the 30th June, 1887, and the 30th June, 1888, and for other purposes relating to the public service.

Motion agreed to; Bill read the first, second and third times, and passed.

House rose during pleasure.

House resumed.

Sir JOHN A. MACDONALD. I desire, at this late hour, to retrieve an omission of mine. I do not know whether the hon. members in the House have observed the beautiful bust of the late Duke of Newcastle in the library. It is not only a good likeness but a work of art, executed by the first portrait sculptor in England, perhaps in Europe, Mr. Boehm. It was the property of Sir Edward Watkin, a great friend of the duke, who was good enough to send it to me for the purpose of being disposed of in Canada in the manner I thought best; and I sent it here to add to the arts and treasures of our library. The bust is a beautiful work of art of itself; if you will observe, it is on a pedestal of black marble, which was modelled by the sculptor who made the figure of Africa in the Albert Memorial in Kensington Gardens. It is altogether a most valuable present in every

way, besides being valuable as the portrait of the Duke of Newcastle, than who Canada had no better friend when he was Colonial Minister. I presented it to the library in the beginning of the Session; and, in the report of the librarian, it is stated to be a contribution from me. That is a mistake. I was merely the agent who presented it to our National Gallery. I wish to have that corrected; perhaps next Session I may ask the House to give expression to its gratitude for the very handsome present added to our treasures by Sir Edward Watkin.

Some hon. MEMBERS. Trow.

Mr. TROW. I suppose it is imperative that I should say something, however, though it is with great reluctance in the presence of so many hon. gentlemen who are so much more capable of addressing this House. I know that we are all anxious to leave for our respective places of abode, and I think it would be out of place on my part or on that of any other hon. gentleman to occupy much time in making a speech. We have had a variety of speeches of late in abundance. I may say that some of our friends have had a diarrhoea of words. Probably more business has been done within the last 48 hours than should have been done in a full week. However, it may be all right, but I think it would have been better, in regard to some measures that have been passed, if there had been more time for thorough discussion and greater ventilation, for the purpose of analysing and perfecting them. Yet, all in all, I think we have had a very favorable Session. It has been short. I must congratulate the members of the Government, who have attended to their duties remarkably closely, and especially during the past week. I am happy to see that the Premier is in his usual trim, and I hope he will continue so for many years to come. He not only astonishes the members of this House, but he astonishes the country at large, when, having been so many years in the service of the country, he is still possessed of all that vim, energy, activity and determination to do business. We have no desire that he should leave this scene of action, but we have an anxious desire that he should change positions from that side of the House to this. That is all. However, considerable of the business of the Session has been tolerably well ventilated. There is one measure of the Minister of Public Works, the chairman of the Railway Committee, which is a model Bill in reference to railways. Notwithstanding all the legal talent we have on that very large committee, I do not know but that something else might be done. I think in future it will be necessary, perhaps, to muzzle a few of our professional men. Notwithstanding the talent that we have on that committee, I notice that one Bill went to the Senate giving authority to the directors of a company to execute the trustees at such time and in such manner as they thought proper. If the Senate had not perfected that Bill, the trustees of that railway would have been in a very dangerous position. It would have been a very serious matter for the trustees. I must also congratulate the Finance Minister. This is a day for congratulation. I think the Minister of Finance has exceeded his usual determination to do business this Session, and I hope he will return renewed in health and vigor to his duties in the old country. I understand he is going to Madrid to perfect some treaty, and I hope he will long remain there—I mean in London. I had the pleasure of meeting the hon. gentleman in England last Session, and he paid probably more attention to me than I anticipated, or probably than I deserved. I know that I received invitations and tickets from the Minister of Finance to dine with the Mayor of Liverpool, the Mayor of London, the Mayor of Edinburgh, and half a dozen other Mayors, and I was sorry that my circumstances were such that I could not embrace the opportunity of being at those dinners, because I should have taken great pleasure in attending them. However, on the whole, I think we have had a very pleasant Session.

Sir JOHN A. MACDONALD.

There have been some little bickerings. Of course we may always expect that. We must naturally differ. We are constituted so, and probably it is best that we should be. Our minds are so framed that we cannot look upon one object in the same manner. Even the Apostles did not. They differed among themselves. It cannot be expected that poor frail mortals like members of Parliament can be perfect. But I can assure you that the members of the Opposition are highly essential, probably more so than the members of the Government. I regret exceedingly that our respected leader has suffered from such affliction, owing to his onerous duties, that he had to leave this House much against his own will and very much against the will of his followers on this side. He has devoted followers, and we hope that next Session he will be able to return to his duties renewed in vigor. Sir, we expect a great future, we expect to be over on the other side of the House, well, in 12 or 15 months, at least. There is no doubt that we were designed by Providence to occupy that position. I do not wish to criticise too severely the acts of our hon. friends opposite, but it seems to be the opinion of the country that we are woefully in debt. At this period of the Session I have no time to enumerate the number of millions—because we count in millions here—that we have spent this Session. I think the very last Bill we passed ought to have received more criticism than it did, and if it had been presented a few weeks earlier, no doubt it would have received more criticism. I think the system of delaying important measures is to be condemned. I also think it is a vicious system to bonus bits of railway here and there, of two or three miles. I suppose there is no Government perfect, and perhaps if our friends had been on the other side of the House, they might have taken the same course, but I doubt it very much. At all events, we are happy that we have such a distinguished gentleman in the Speaker's chair. I have not heard one word in disparagement of his rulings, or of the proficiency of his conduct as Speaker of this House. While the present Administration is in power, he will no doubt occupy that position, and I do not know but that even if a change should take place, our friends would be rather inclined to continue him in that office. We had great respect for the late Speaker and for other Speakers, but the hon. gentleman who now occupies that chair, and who is so fluent in both languages, certainly seems to have understood the rules pertaining to his office thoroughly at the outset, and he will, no doubt, continue to improve Session after Session. I hope he will be long continued in that position by one party or the other.

Mr. WRIGHT. Mr. Speaker, I am certain that every member of this House will cordially join in the felicitations and congratulations offered by the hon. gentleman who so worthily represents Her Majesty's Opposition here to-night. Your selection for the high position which you illustrate and adorn had my approval, as I had no doubt but that you would most worthily perform the duties of your high office, and maintain the dignity and preserve the privileges of the House of Commons. It has been my good or bad fortune to occupy a seat in the Canadian Parliament since 1863, and my relations with your predecessors have always been of the most pleasant and friendly character. In the future, as in the past, I have no doubt but that the same kindly relations will obtain. We understand that you propose to visit the Mother Country during the coming season. We trust that you will have a pleasant and profitable voyage, and that you will return with renewed energy and vigor to your parliamentary, legal and martial duties. I think that we have reason to congratulate the House and country on the condition of prosperity which obtains. With the prospect of an abundant harvest, our country may be ranked amongst the most favored of nations. We have had in the main a

pleasant Session, and, although under parliamentary system some friction must obtain, yet, on the whole, our system appears to work as well, if not better, than those of the older civilizations. We regret exceedingly the absence of the hon. leader of the left centre. With the maximum of intelligence and the minimum of following, he always, in all his parliamentary experience—by his boldness and independence, and his fearless criticism of all public measures—commands the respect and attention of the House. In this way, not only is the public service benefited, but the Session is so much protracted, greatly to the profit and advantage of the public generally, and the inhabitants of Ottawa and the surrounding counties particularly. A magnificent testimonial would fittingly mark the appreciation of his public services. We all regret exceedingly the absence, through illness, of the leader of Her Majesty's Opposition, and trust that he may be restored to his wonted health and vigor. We join most heartily in the expression of Mr. Trow with regard to the fact that the great statesman, who has played so important a part in the building up of the Dominion, should have been able to perform his part with such singular vitality and intellectual vigor as he has manifested during the Session. We trust that he may be long spared to continue and consolidate the question. We were happy to welcome to our parliamentary ranks the hon. Minister of Finance. He came to us with renewed energy and power. In the old land he had done us good yeoman service, as Minister for the Dominion. We trust that he will convey to the great monarch, whose jubilee we have just celebrated, our congratulations on Her having reached the fiftieth anniversary of Her reign, as well as the assurance of the love, affection and loyalty of the Canadian people.

PROROGATION.

A Message from His Excellency the Governor General by the Gentleman Usher of the Black Rod:—

MR. SPEAKER,—

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

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

IN THE SENATE CHAMBER.

His Excellency was pleased to give, in Her Majesty's name, the Royal Assent to the following Bills:—

- An Act to amend the Act respecting Public Offices.
- An Act to amend the Act respecting Offences against Public Morals and Public Convenience.
- An Act respecting Public Stores.
- An Act respecting the St. Catharines and Niagara Central Railway Company.
- An Act respecting the Ontario Sault Ste. Marie Railway Company.
- An Act respecting the Grand Trunk Railway Company of Canada.
- An Act respecting the Rocky Mountains Park of Canada.
- An Act respecting the representation of the North-West Territories in the Senate of Canada.
- An Act to incorporate the Manufacturers Life Insurance Company.
- An Act to amend the Penitentiary Act.
- An Act to amend the Act to incorporate the Hamilton, Guelph and Buffalo Railway Company, and to change the name of the Company to the Hamilton Central Railway Company.
- An Act to incorporate the Collingwood General and Marine Hospital.
- An Act to amend the Act respecting Sick and Distressed Mariners.
- An Act to amend the law respecting Procedure in Criminal Cases.
- An Act to amend the Act respecting Canned Goods.
- An Act respecting the Ontario and Quebec Railway Company.
- An Act to incorporate the Canadian Society of Civil Engineers.
- An Act to incorporate the Halifax and West India Steamship Company (Limited).
- An Act to incorporate the Equity Insurance Company.
- An Act respecting the Richelieu and Ontario Navigation Company.
- An Act to authorise the Grange Trust (Limited) to wind up its affairs.
- An Act to incorporate the Canadian Horse Insurance Company.
- An Act to enable the Freehold Loan and Savings Company to extend their business and for other purposes.
- An Act further to amend the Act incorporating the Western Assurance Company and other Acts affecting the same.

An Act to incorporate the Guarantee and Pension Fund Society of the Dominion Bank.

An Act to authorise and provide for the winding up of the Picton Bank.

An Act respecting the conveyance of Liquors on board Her Majesty's Ships in Canadian waters.

An Act to amend the Dominion Controverted Elections Act.

An Act respecting the Edmonton and Saskatchewan Land Company (Limited).

An Act to amend the North-West Territories Act.

An Act to incorporate the Bay of Quinté Bridge Company.

An Act to incorporate the Kingston, Smith's Falls and Ottawa Railway Company.

An Act to incorporate the Oshawa Railway and Navigation Company.

An Act respecting the Midland Railway of Canada.

An Act respecting the Grand Trunk, Georgian Bay and Lake Erie Railway Company.

An Act to incorporate the Prescott County Railway Company.

An Act to incorporate the Niagara Falls Bridge Company.

An Act to incorporate the Mississippi Junction Railway Company.

An Act to incorporate the Canada Accident Assurance Company.

An Act to incorporate the Upper Columbia Railway Company.

An Act to incorporate the Londonderry Iron Company.

An Act to amend the Act incorporating the Alberta and Athabasca Railway Company.

An Act to incorporate the Kincardine and Teeswater Railway Company.

An Act to incorporate the Goderich and Canadian Pacific Junction Railway Company.

An Act to revive and amend the Act to incorporate the Saint Gabriel Levee and Railway Company.

An Act respecting the Defacing of Counterfeit Notes and the use of Imitations of Notes.

An Act to amend the Act respecting the Department of Finance and The Treasury Board.

An Act to provide for the payment of a yearly allowance to Godefroi Laviolette, late Warden of the Penitentiary at St. Vincent de Paul.

An Act to incorporate the Cobourg, Blairton and Marmora Railway and Mining Company.

An Act respecting the Ottawa and Gatineau Valley Railway Company.

An Act to incorporate the Dominion Oil Pipe Line and Manufacturing Company.

An Act to reduce the stock of the Ontario and Qu'Appelle Land Company (Limited), and for other purposes.

An Act respecting the Atlantic and North-West Railway Company.

An Act to incorporate the Teeswater and Inverhuron Railway Company.

An Act to enable the Western Canada Loan and Savings Company to extend their business and for other purposes.

An Act to incorporate the Berlin and Canadian Pacific Junction Railway Company.

An Act to confirm and amend the charter of incorporation of the Témiscouata Railway Company.

An Act to incorporate the South Norfolk Railway Company.

An Act to incorporate the South Ontario Pacific Railway Company.

An Act to incorporate the Empire Printing and Publishing Company (Limited).

An Act to incorporate the Eastern Canada Savings and Loan Company (Limited).

An Act further to amend the Act respecting the Canadian Pacific Railway Company.

An Act to revive and amend the charter of the Quebec and James' Bay Railway Company, and to extend the time for commencing and completing the Railway of the said Company.

An Act respecting the Department of Trade and Commerce.

An Act to incorporate the Manufacturers' Accident Insurance Company.

An Act respecting the Waterloo and Magog Railway Company.

An Act respecting the Primitive Methodist Colonisation Company (Limited).

An Act respecting the New Brunswick Railway Company.

An Act to incorporate the Imperial Trusts Company of Canada.

An Act to amend the Act to incorporate the Brantford, Waterloo and Lake Erie Railway Company.

An Act to amend the Government Railways Act.

An Act to amend the Railway Act.

An Act for the relief of Marie Louise Noel.

An Act for the relief of Fanny Margaret Riddell.

An Act for the relief of John Monteith.

An Act to incorporate the Canadian Power Company.

An Act respecting the Ontario Pacific Railway Company.

An Act respecting the Guelph Junction Railway Company.

An Act to amend an Act of the present Session intitled: An Act to enable the Freehold Loan and Savings Company to extend their business, and for other purposes.

An Act to amend the Speedy Trials Act, chapter one hundred and seventy-five of the Revised Statutes.

An Act to enable the Saint Martin's and Upham Railway Company to sell its Railway and Property.

An Act to amend the Acts relating to the Harbor Commissioners of Montreal.

An Act to amend the Dominion Elections Act and to remove doubts as to the right of certain persons to vote at elections of members of the House of Commons.

An Act to amend the Act respecting the Department of Agriculture.
 An Act to provide for an additional subsidy to the Province of Prince Edward Island.
 An Act respecting the Manitoba South-Western Colonisation Railway Company.
 An Act respecting the Department of Customs and the Department of Inland Revenue
 An Act respecting the Oxford Junction and New Glasgow Branch of the Intercolonial Railway.
 An Act to amend the Dominion Lands Act.
 An Act to provide for advances to be made by the Government of Canada to the Fredericton and St. Mary's Railway Bridge Company.
 An Act to amend the General Inspection Act.
 An Act in addition to the Revised Statutes, chapter six, respecting Representation in the House of Commons.
 An Act to amend chapter two of the Revised Statutes of Canada, intituled: An Act respecting the publication of the Statutes.
 An Act to amend chapter one hundred and thirty-eight of the Revised Statutes respecting the judges of Provincial Courts.
 An Act to confer certain powers on Boards of Trade as to the Licensing of Weighers.
 An Act to amend the Revised Statutes, chapter thirty-nine, respecting the Expropriation of Lands.
 An Act to authorise the advance of further sums for completing the Graving Dock and the Improvements in the Harbor of Quebec
 An Act respecting the Nova Scotia Permanent Benefit Building Society and Savings Fund.
 An Act respecting the Manitoba and North-Western Railway Company of Canada.
 An Act to incorporate the Quebec Bridge Company.
 An Act to amend the Acts incorporating and relating to the British Canadian Loan and Investment Company (Limited).
 An Act to amend the Act of the present Session intituled: An Act to incorporate the Kineardine and Teeswater Railway Company.
 An Act to incorporate the Royal Victoria Hospital.
 An Act to incorporate the Hereford Branch Railway Company.
 An Act to revive and amend the Act incorporating the Anglo-Canadian Bank.
 An Act respecting the Western Counties Railway Company.
 An Act for the relief of William Arthur Lavell.
 An Act for granting certain powers to the Canada Atlantic Steamship Company (Limited).
 An Act to make provision for the appointment of a Solicitor General.
 An Act to confirm a certain agreement between Her Majesty and the Western Counties Railway Company, and for other purposes.
 An Act relating to the improvement of the River St. Lawrence.
 An Act to amend an Act to authorise the Grant of certain Subsidies in land for the construction of the Railways therein mentioned.
 An Act to amend the Act incorporating the Pontiac Pacific Junction Railway Company.
 An Act to amend the Indian Act.
 An Act to amend the Act respecting the Duties of Customs.
 An Act to amend the Immigration Act.
 An Act to further amend the Act incorporating the Canada Atlantic Railway Company.
 An Act to consolidate and amend the Acts relating to the Winnipeg and Hudson's Bay Railway and Steamship Company, and to change the name thereof.
 An Act to amend The Supreme and Exchequer Courts Act and to make better provision for the Trial of Claims against the Crown.
 An Act to amend the Revised Statutes, chapter fifty-one, respecting Real Property in the Territories.
 An Act to amend the Chinese Immigration Act.
 An Act to enable the Canada Permanent Loan and Savings Company to extend their business and for other purposes.
 An Act for the relief of Susan Ash.
 An Act to amend the Revised Statutes, chapter five, respecting the Electoral Franchise.
 An Act respecting the Council of the North-West Territories.
 An Act to amend the Revised Statutes, chapter one hundred and seventy-three, respecting Threats, Intimidation and other Offences.
 An Act to authorise the grant of certain subsidies in land for the construction of the railways therein named.
 An Act to empower the employés of incorporated companies to establish Pension Fund Societies.
 An Act to amend the Companies Act.
 An Act to authorise the granting of subsidies in aid of the construction of the lines of railway therein mentioned.

Then the Honorable the SPEAKER of the House of Commons addressed His Excellency the Governor General as follows:—

MAY IT PLEASE YOUR EXCELLENCY:

The Commons of Canada have voted the Supplies required to enable the Government to defray the expenses of the Public Service.
 In the name of the Commons, I present to Your Excellency the following Bill: An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service, for the financial years ending respectively the 30th June, 1887, and the 30th June, 1888, and for other purposes relating to the Public Service, to which Bill I humbly request Your Excellency's assent.

To this Bill the Royal Assent was signified in the following words:—

In Her Majesty's name, HIS EXCELLENCY THE GOVERNOR GENERAL thanks Her loyal subjects, accepts their benevolence, and assents to this Bill.

After which His Excellency the Governor General was pleased to close the First Session of the Sixth Parliament of the Dominion with the following

SPEECH:

Honorable Gentlemen of the Senate:

Gentlemen of the House of Commons:

In relieving you from further attendance in Parliament, I desire to convey to you my appreciation of the diligence and earnestness which you have shown in the performance of your important duties.

I thank you in the Queen's name for the cordial and affectionate congratulations you have offered to Her Majesty on the completion of the fiftieth anniversary of Her happy reign.

I have taken care to transmit your loyal Address to be laid at the foot of the Throne.

The readjustment of the tariff for the purpose of further developing our home industries upon principles which have been received with such marked acceptance by the people of Canada, will, it is confidently expected, in an especial manner encourage the working of our vast mines of iron and coal, and promote the production within our own country of all the more important iron manufactures.

The establishment of a Department of Trade and Commerce, under the supervision of a responsible Minister, and the measures you have passed for the better organisation of other Departments of Government, will, I trust, tend to aid in the extension of our home and foreign trade, as well as to improve the efficiency of the public service.

The numerous Acts relating to railway and other industrial enterprises to which I have given Her Majesty's assent, indicate a steady growth in the national progress of the Dominion, and your liberal appropriation for the construction of the Sault Ste. Marie Canal ensures the completion of our great system of inland navigation at an early period.

Our agricultural population will, I am sure, learn with much pleasure of the provision you have made for the maintenance of the Experimental Farm in this vicinity, and the establishment of auxiliary stations in the several Provinces.

Gentlemen of the House of Commons:

In Her Majesty's name I thank you for the provision you have made for the requirements of the Public Service. I shall see that it is applied with all due regard to economy.

Honorable Gentlemen of the Senate:

Gentlemen of the House of Commons:

I trust that under the blessing of Almighty God the present promise of an abundant harvest may be fully realised, and that when we meet again I shall be able to congratulate you on a still further increase in the general prosperity of the country. Meanwhile I bid you farewell.

The SPEAKER of the Senate then said:

Honorable Gentlemen of the Senate, and

Gentlemen of the House of Commons:

It is HIS EXCELLENCY THE GOVERNOR GENERAL'S will and pleasure, that this Parliament be prorogued until Tuesday, the second day of August next, to be here held, and this Parliament is accordingly prorogued until Tuesday, the second day of August.

The Parliament of the Dominion of Canada was then prorogued to the 2nd day of August next.

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FIRST SESSION, SIXTH PARLIAMENT, 1887.

Abbreviations of well known words and Parliamentary expressions are used in the following:—1^o, 2^o, 3^o, First Reading, Second Reading, Third Reading; 3 m. h., 6 m. h., 6 w. h., Three Months' Hoist, Six Months' Hoist, Six Weeks' Hoist; *, without remark or debate; Acts., Accounts; Adj., Adjourn; Adj., Adjourned; Amt., Amendment; Amts., Amendments; Amalg., Amalgamation; Ans., Answer; Ass., Assurance; B., Bill; B. C., British Columbia; Can., Canada or Canadian; C.P.R., Canadian Pacific Railway; Com., Committee; Co., Company; Conco., Concur, Concurred, Concurrence; Consd., Consider; Consdn., Consideration; Cor., Correspondence; Deb., Debate; Dept., Department, Depts., Departments; Div., Division; Dom., Dominion; Govt., Government; His Ex., His Excellency the Governor General; H., House; H. of C., House of Commons; Incorp., Incorporation; Ins., Insurance; I.C.R., Intercolonial; Man., Manitoba; Mess., Message; M., Motion; Ms., Motions; m., moved; Neg., Negatived; N.B., New Brunswick; N.W.T., North-West Territories; N.S., Nova Scotia; O.C., Order in Council; Ont., Ontario; P.E.I., Prince Edward Island; P.O., Post Office; Par., Paragraph; Prop., Proposed; Q., Quebec; Ques., Question; Recom., Recommit; Ref., Refer, Referred, Reference; Rep., Report, Reported; Reps., Reports; Res., Resolution; Ret., Return; Ry, Railway; Rys., Railways; Sel., Select; Sen., Senate; Sp., Special; Stmt., Statement; Sup., Supply; Suppl., Supplement, Supplementary; Wthdn., Withdrawn; Wthdrl., Withdrawal; Y. N., Yeas and Nays; Names in *Italic* and parentheses are those of the movers.

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 ——— Dismissal of Officials (M. for Ret.) 21 (i).
 ——— Proposals to Purchase (Ques.) 1004 (ii).
 ——— Station at St. Ignace (M. for Stmt.) 377 (i).
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- Dom. Lands Act Amt. B. 113 (Mr. *White, Cardwell*) in Com., 899 (ii).
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- Banff National Park, B. 16 (Mr. *White, Cardwell*) in Com., 237 (i).
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Colby, Mr. C. C., Stanstead.

- Library of Parlt. (M. to conc. in Reprs.) 1249 (ii)
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- Christian Island Indians, compensation for Penetanguishene purchase (Ques.) 1005 (ii).
 ——— compensation for Timber cut on Lands (Ques.) 1005 (ii).
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- Canned Goods Act Amt. (B. 121, 1°) 638 (ii).
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Coursol, Mr. C. J., East Montreal.

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Public Works—Income : Harbors and Rivers (N. B.) 979 (ii).
Railways—Capital : I. O. R. (accommodation at St. John) 1173; (Rolling Stock) 825. P. E. I. Ry., 1178 (ii).

Threats and Intimidations B. 162 (Mr. *Thompson*) in Com., 1153 (ii).

- Wall Paper, conc. in Ways and Means, 514 (i).
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 Winter port of C. P. R. (remarks) on M. for Com. of Sup., 969 (ii).
 Woollen Fabrics, conc. in Ways and Means, 440 (i).

Ferguson, Mr. C. F., North Leeds and Grenville.

- Clerk of Crown in Chancery, increase of salary, in Com. of Sup., 605 (i).
 Lavell, William A., Relief (B. 155) 1° on a div., 1028 (ii).

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- Arts, Agriculture and Statistics* (Experimental Farms) 728 (ii).
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Ferguson, Mr. J., Welland.

- Fertilisers, artificial, conc. in Ways and Means, 455 (i).
Welland Canal Bridge, on M. for Ret., 295 (i).
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Fiset, Mr. J. B. R., Rimouski.

- Blanche River, completion of Wharf (Ques.) 205 (i).
Chouinard, D., payment of Award of Arbitrators (Ques.) 1006 (ii).
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Laberge, A., enquiry against (M. for Ret.) 376; (Ques.) 1003 (ii).
Matane Wharf repairs (Ques.) 205 (i).
N. W. Rébellion Losses, Claims (Ques.) 543 (i).
Point du Père Breakwater, construction (M. for Ret.*) 803 (ii).
Rimouski River Improvements (Ques.) 205 (i).
Ste. Cecile du Bic Wharf (Ques.) 526 (i).
St. Jérôme de Matane Wharf, amount expended (M. for Stmt.) 788 (ii).

Fisher, Mr. S. A., Brome.

- Business of the House, on M. to take in Wednesdays 953 (ii).
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—— (Amt. to Amt.) 949; agreed to (Y. 91, N. 86) 950 (ii).
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Public Works—Income (Experimental Farms) 982 (ii).
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Flynn, Mr. E. P., Richmond, N.S.

- Fisheries, Bounty, distribution of (Ques.) 257 (i).
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Post Office and Custom House at Arichat (M. for Cor.) 790 (ii).
Ry. construction in Cape Breton (M. for Ret.) 790 (ii).
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Fisheries (Protection Steamers, &c.) 1083 (ii).

Foster, Hon. G. E., King's, N. B.

- Barrington Harbor, N.S, Tender for Lightship (Ans.) 383 (i).
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British subjects in Behring's Sea, protection (Ans.) 45 (i).
Bolduc, Capt. L., dismissal (Ans.) 525 (i).
Dalton, Wm., services on Lightship (Ans.) 1200; (remarks) 1249 (ii).
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—— Bounties in Vic., N.S., applicants for (Ans.) 371 (i).
—— Deep Sea Explorations in B.C. (Ans.) 102; in Com. of Sup., 1186 (ii).
—— Dept., in Com. of Sup., 1237 (ii).
—— Deptl. Rep. (presented) 707; (remarks) 805 (ii).
—— Fry, distribution of, in Com. of Sup., 1070 (ii).
—— Hoop Nets on Riv. St. Lawrence (Ans.) 101 (i).
—— Leases in River Matane (Ans.) 526 (i).
—— Licenses in East and West Lakes, Prince Edward Co. (Ans.) 322 (i).
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—— Protection, Instructions to Commanders (Ans.) 21; on M. for copies, 221 (i); (Ans.) 1002 (ii).
—— Protection Steamers, &c., in Com. of Sup., 1087 (ii).
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Lighthouses, Maintenance, in Com. of Sup., 1065 (ii).

Liquors, Conveyance of, on board H. M.'s ships (B. 122, 1°) 638; 2°m, 814 (ii).

Lizzie Lindsay and Fishery Protection (Ans.) 526 (i).

Lobster Fishery in N. S., on M. for Cor., 317 (i).

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Shipping News and Telegraph Service (Ans.) 312 (i).

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Freeman, Mr. J. N., Queen's, N. S.

Coal, conc. in Ways and Means, 509 (i).

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Lighthouse and Coast Service (Agencies) 1064 (ii).

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Gauthier, Mr. J., L'Assomption.

C.P.R. Laurentides Branch Lines, Tariff Rates (Ques.) 525 (i).

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Gigault, Mr. G. A., Rouville.

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Gillmor, Mr. A. H., Charlotte.

Canadian Horses in U.S., prohibiting (Ques.) 1004 (ii).

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Queen's, N. B., Election, on Amt. (Mr. Davies) to M. to conc. in Rep. of Com. on Privileges and Elections, 701 (ii).

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Prohibition of Intoxicating Liquors, on prop. Kes (Mr. Jamieson) 845; (Amt.) 846; neg. (Y. 47, N. 136) 948 (ii).

Queen's, N. B., Election, on Amt (Mr. Thompson) to ref. Ret. to Com. on Privileges and Elections, 187 (i).

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— on Amt. (Mr. Davies) to M. to conc. in Rep. of Com. on Privileges and Elections, 688-690 (ii).

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Gordon, Mr. D. W., Vancouver Island.

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Esquimalt and Nanaimo Ry. Co.'s lands on Vancouver Island (M. for Ret.*) 110 (i).

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Guay, Mr. P. M., Lévis.

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Quebec Central Ry. Co.'s Subsidy (Ques.) 257 (i).

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St. Charles Branch Ry. Land Claims, in Com. of Sup., 829 (ii).

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Railways—Capital: I.C.R. (construction) 829 (ii).

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Guillet, Mr. G., West Northumberland.

Cobourg, Blairton and Marmora Ry. Co.'s incorp. (B. 103, 1°*) 515; 2°, 601 (i).

Dunn, J. R., examination, 631 (ii).

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Haggart, Mr. J. G., South Lanark.

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Dunn, J. R., before Bar of House (remarks) on Ques. of Order, 618 (ii).

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Hall, Mr. R. N., Sherbrooke.

Alberta and Athabasca Ry. Co.'s Act Amt. (B. 59, 1°*) 300 (i).

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Hesson, Mr. S. R., North Perth.

Agriculture and Colonisation Com., on M. to increase quorum, 154 (i).

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Dunn, J. R., examination, 627, 629 (ii).

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- Butter, Duty and Inspection (Ques.) 154 (i).
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Holton, Mr. E., Chateauguay.

- Beauharnois P. O. Investigation (Ques.) 786 (ii).
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- Midland Ry. Co. of Canada (B. 75, 1°*) 360 (i).
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- Examining Warehouse in Ottawa (Ques.) 45 (i).
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- Business of the House, on M. to take in Wednesdays, 953 (ii).
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- Can. Temp. Act, 1873, Amt. (B. 40, 1°) 190 (i).
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Joncas, Mr. L. Z., Gaspé.

- Lizzie Lindsay and Fishery Protection (Ques.) 526 (i).

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- Ammunition, Clothing, &c., in Com. of Sup., 752 (ii).
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1°* , 74; 2°* , 153; in Com. and 3°* , 426 (i). (50-51 *Vic.*, c. 60.)
- BILL (No. 12) To revive and amend the Act to incorporate the Saint Gabriel Levee and Railway Company.—(Mr. *Curran*.)
1°* , 74; 2°* , 153; in Com. and 3°* , 538 (i). (50-51 *Vic.*, c. 72.)
- BILL (No. 13) Respecting the Grand Trunk Railway Company of Canada.—(Mr. *Curran*.)
1°* , 74; 2°* , 153; in Com. and 3°* , 426 (i). (50-51 *Vic.*, c. 57.)
- BILL (No. 14) To incorporate "The Collingwood General and Marine Hospital."—(Mr. *McCarthy*.)
1°* , 74; 2°* , 153 (i); in Com. and 3°* , 758 (ii). (50-51 *Vic.*, c. 126)
- BILL (No. 15) To incorporate the "Imperial Trusts Company of Canada."—(Mr. *Thompson*.)
1°* , 74; 2°* , 153 (i); in Com., 637; 3° m., 638; 3°* , 680 (ii). (50-51 *Vic.*, c. 115.)
- BILL (No. 16) Respecting the Banff National Park.—(Mr. *White, Cardwell*.)
1° , 74; 2° , 194; M. for Com., 226; in Com., 227, 239; 3°* , 301 (i). (50-51 *Vic.*, c. 32.)
- BILL (No. 17) Respecting the Representation of the North-West Territories in the Senate of Canada.—(Sir *John A. Macdonald*.)
1° , 74; 2° , 197; in Com., 246, 301; 3°* , 302 (i). (50-51 *Vic.*, c. 3.)
- BILL (No. 18) To amend the Supreme and Exchequer Courts Act.—(Mr. *Tupper, Pictou*.)
1° , 74 (i).
- BILL (No. 19) To amend the Law respecting Procedure in Criminal Cases.—(Mr. *Thompson*.)
1° , 100 (i); 2°* and in Com., 644; 3°* , 646 (ii). (50-51 *Vic.*, c. 50.)
- BILL (No. 20) Respecting Public Stores.—(Mr. *Thompson*.)
1° , 100; 2° and in Com., 273; 3°* , 301 (i). (50-51 *Vic.*, c. 45.)
- BILL (No. 21) To amend the Act respecting Public Morals and Public Convenience.—(Mr. *Charlton*.)
1° , 100; 2° , 273; in Com., 278; 3°* , 312 (i). (50-51 *Vic.*, c. 48.)
- BILL (No. 22) To incorporate the Canadian Society of Civil Engineers.—(Mr. *Shanly*.)
1°* , 111; 2°* , 204 (i); in Com. and 3°* , 850 (ii). (50-51 *Vic.*, c. 124.)
- BILL (No. 23) To incorporate the Emerson and North-Western Railway Company.—(Mr. *Watson*.)
1°* , 111; 2°* , 204 (i); withdn., 707 (ii).
- BILL (No. 24) To incorporate the Goderich and Canadian Pacific Junction Railway Company.—(Mr. *Porter*.)
1°* , 111; 2°* , 272; in Com., 538; 3° , 539 (i). (50-51 *Vic.*, c. 91.)
- BILL (No. 25) To amend the Act to incorporate the Brantford, Waterloo and Lake Erie Railway Company.—(Mr. *Sutherland*.)
1°* , 111; 2°* , 204 (i); in Com. and 3°* , 680 (ii). (50-51 *Vic.*, c. 64.)
- BILL (No. 26) To incorporate the Kincardine and Teeswater Railway Company.—(Mr. *McCarthy*.)
1°* , 111; 2°* , 272; in Com. and 3°* , 539 (i); M. to conc. in Sen. Amts., 925; conc. in and 3°* , 926 (ii). (50-51 *Vic.*, c. 83.)
- BILL (No. 27) Respecting the Ontario and Quebec Railway Company.—(Mr. *Patterson, Essex*.)
1°* , 111; 2°* , 272; in Com. and 3°* , 539 (i). (50-51 *Vic.*, c. 62.)
- BILL (No. 28) To incorporate the Brandon, Souris and Rock Lake Railway Company.—(Mr. *Small*.)
1°* , 111; 2°* , 272 (i); withdn., 707 (ii).
- BILL (No. 29) To incorporate the Manufacturers' Life and Accident Insurance Company.—(Mr. *Brown*.)
1°* , 111; 2°* , 272; in Com. and 3° , 539 (i). (50-51 *Vic.*, c. 104.)
- BILL (No. 30) To amend "The Companies Act."—(Mr. *McCarthy*.)
1° , 111; 2°* , 291 (i); in Com., 1143; 3°* , 1144 (ii) (50-51 *Vic.*, c. 20.)
- BILL (No. 31) To amend "The Railway Act."—(Mr. *Mulock*.)
1° , 142 (i).
- BILL (No. 32) To amend "The Dominion Controverted Elections Act."—(Mr. *Amyot*.)
1° , 142 (i).
- BILL (No. 33) Respecting the payment of Mortgages.—(Mr. *McMullen*.)
1° , 142 (i).
- BILL (No. 34) To incorporate the Chinook Belt and Peace River Railway Company.—(Mr. *Davis*.)
1° , 153; 2°* , 312 (i); ref. back to Com. on Rys., 479 (i); withdn.
- BILL (No. 35) To incorporate the Berlin and Canadian Pacific Junction Railway Company.—(Mr. *Bowman*.)
1°* , 190; 2°* , 312 (i); in Com. and 3°* , 680 (ii). (50-51 *Vic.*, c. 89.)
- BILL (No. 36) To incorporate the New Westminster Southern Railway Company.—(Mr. *Chisholm*.)
1°* , 190; 2°* , 272 (i); withdn., 707 (ii).
- BILL (No. 37) Respecting the Regina and Wood Mountain Railway Company.—(Mr. *Davin*.)
1°* , 190; 2°* , 312 (i); withdn., 707 (ii).

- BILL (No. 38) To amend the Act to incorporate the Hamilton, Guelph and Buffalo Railway Company, and to change the name of the Company to "The Hamilton Central Railway Company."—(Mr. *McKay*.)
1°*, 190; 2°*, 272 (i); in Com. and 3°*, 630 (ii). (50-51 *Vic.*, c. 63.)
- BILL (No. 39) To authorise the Grange Trust (limited) to wind up its affairs.—(Mr. *Masson*.)
1°*, 190; 2°*, 312 (i); in Com. and 3°*, 680 (ii). (50-51 *Vic.*, c. 116.)
- BILL (No. 40) To amend "The Canada Temperance Act."—(Mr. *Jamieson*.)
1°, 190 (i).
- BILL (No. 41) Respecting the Department of Customs and the Department of Inland Revenue.—(Sir *John A. Macdonald*.)
1°, 190 (i); 2°, 884; in Com. and 3°*, 1029 (ii). (50-51 *Vic.*, c. 11.)
- BILL (No. 42) to make provision for the appointment of a Solicitor General.—(Mr. *Thompson*.)
Res. prop. and 1°, 191 (i); 2° m., 889 (ii); 2°*, Res. and B. in Com., and 3°*, 1121 (ii). (50-51 *Vic.*, c. 14.)
- BILL (No. 43) To incorporate the Niagara River Bridge Company.—(Mr. *Rykert*.)
1°*, 204; 2°*, 320 (i); in Com. and 3°*, 680 (ii). (50-51 *Vic.*, c. 96.)
- BILL (No. 44) Respecting the Atlantic and North-West Railway Company.—(Mr. *Rykert*.)
1°*, 204; 2°*, 369 (i); in Com. and 3°*, 785 (ii). (50-51 *Vic.*, c. 69.)
- BILL (No. 45) Further to amend the Act respecting the Canadian Pacific Railway Company.—(Mr. *Rykert*.)
1°*, 204; 2°*, 320 (i); in Com. and 3°*, 680 (ii). (50-51 *Vic.*, c. 56.)
- BILL (No. 46) To amend "The Dominion Elections Act."—(Mr. *Edgar*.)
1°, 204; 2° m., 539 (i).
- BILL (No. 47) To amend "The Railway Act."—(Mr. *Pope*.)
1°*, 204; 2°*, 301; in Com., 361; 3°, 363 (i); Sen. Amts. conc. in 1031 (ii). (50-51 *Vic.*, c. 19.)
- BILL (No. 48) To incorporate the Guarantee and Pension Fund Society of the Dominion Bank.—(Mr. *Sutherland*.)
1°*, 223; 2°*, 320 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 55.)
- BILL (No. 49) To incorporate the Upper Columbia River Railway Company.—(Mr. *Mara*.)
1°*, 223; 2°, 320 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 95.)
- BILL (No. 50) To amend the Representation Act as respects certain Constituencies in British Columbia.—(Mr. *Baker*.)
1°, 223 (i).
- BILL (No. 51) To amend the Act respecting defective Letters Patent and the discharge of Securities to the Crown.—(Mr. *McCarthy*.)
1°, 277 (i).
- BILL (No. 52) To empower the Employés of Incorporated Companies to establish Pension Fund Societies.—(Mr. *Hall*.)
1°*, 277; 2°*, 543 (i); in Com. and 3°*, 1152 (ii). (50-51 *Vic.*, c. 21.)
- BILL (No. 53) To amend "The Electoral Franchise Act."—(Mr. *Tisdale*.)
1°, 277 (i).
- BILL (No. 54) To amend "The Chinese Immigration Act."—(Mr. *Chapleau*.)
1°, 277 (i); 2°* and in Com., 642; 3°*, 643 (ii). (50-51 *Vic.*, c. 35.)
- BILL (No. 55) To incorporate the Eastern Canada Savings and Loan Company (Limited).—(Mr. *Kenny*.)
1°*, 300; 2°*, 320 (i); in Com. and 3°*, 785 (ii). (50-51 *Vic.*, c. 113.)
- BILL (No. 56) To incorporate the Alberta and British Columbia Junction Railway Company.—(Mr. *Shanly*.)
1°*, 300; 2°*, 369 (i); withdn., 707 (ii).
- BILL (No. 57) To incorporate the Prescott County Railway Company.—(Mr. *Scriver*.)
1°*, 300; 2°*, 369 (i); in Com. and 3°*, 680. (50-51 *Vic.*, c. 82.)
- BILL (No. 58) To terminate the Trust respecting the South-Eastern Railway, to authorise its sale, and to incorporate the South-Eastern Junction Railway Company.—(Mr. *Hall*.)
1°*, 300; M. for 2°, 369; 2°*, 444 (i).
- BILL (No. 59) To amend the Act incorporating the Alberta and Athabasca Railway Company.—(Mr. *Hall*.)
1°*, 300; 2°*, 320; in Com. and 3°*, 601 (i). (50-51 *Vic.*, c. 78.)
- BILL (No. 60) Further to amend the Act incorporating the Western Assurance Company, and other Acts affecting the same.—(Mr. *Cockburn*.)
1°*, 300; 2°*, 369 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 102.)
- BILL (No. 61) To amend the Acts incorporating and relating to the British Canadian Loan and Investment Company (Limited).—(Mr. *Small*.)
1°*, 300; 2°*, 320 (i); in Com. and 3°*, 925 (ii). (50-51 *Vic.*, c. 110.)
- BILL (No. 62) To reduce the Stock of the Ontario and Qu'Appelle Land Company (limited), and for other purposes.—(Mr. *Sutherland*.)
1°*, 300; 2°*, 320; (i); in Com. and 3°*, 758 (ii). (50-51 *Vic.*, c. 118.)
- BILL (No. 63) To incorporate the Kingston, Smith's Falls and Ottawa Railway Company.—(Mr. *Kirkpatrick*.)
1°*, 300; 2°*, 369 (i); in Com. and 3°*, 785 (ii). (50-51 *Vic.*, c. 88.)
- BILL (No. 64) To repeal the Canada Temperance Act.—(Mr. *Cargill*.)
1°, 300 (i).

- BILL (No. 65) To amend the Penitentiary Act.—(Mr. *Thompson*.)
 Res. prop., 223; in Com., 274; 1° of B., 301 (i); 2° and in Com., 641; 3°*, 642 (ii). (50-51 *Vic.*, c. 52.)
- BILL (No. 66) To incorporate the South Norfolk Railway Company.—(Mr. *Tisdale*.)
 1°, 318; 2°*, 444; in Com. and 3°*, 758 (ii). (50-51 *Vic.*, c. 86.)
- BILL (No. 67) To incorporate the Massawippi Junction Railway Company.—(Mr. *Small*.)
 1°, 318; 2°*, 444 (i); in Com. and 3°*, 785 (ii). (50-51 *Vic.*, c. 94.)
- BILL (No. 68) To amend The Canada Temperance Act.—(Mr. *McCarthy*.)
 1°, 319 (i).
- BILL (No. 69) To incorporate the Equity Insurance Company.—(Mr. *Curran*.)
 1°*, 359; 2°*, 444 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 103.)
- BILL (No. 70) To incorporate the Alberta Railway Company.—(Mr. *Shanly*.)
 1°*, 359; 2°*, 444 (i); withdn., 707 (ii).
- BILL (No. 71) To enable the Freehold Loan and Savings Company to extend their business, and for other purposes.—(Mr. *Denison*.)
 1°*, 359; M. for 2°, 443 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 111.)
- BILL (No. 72) To incorporate the Halifax and West India Steamship Company (limited).—(Mr. *Kenny*.)
 1°*, 359; 2°*, 444 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 100.)
- BILL (No. 73) To incorporate the Bay of Quinté Bridge Company.—(Mr. *Robertson, Hastings*.)
 1°*, 359; 2°*, 444 (i); in Com. and 3°*, 758 (ii). (50-51 *Vic.*, c. 97.)
- BILL (No. 74) Respecting the Grand Trunk, Georgian Bay and Lake Erie Railway Company.—(Mr. *Tisdale*.)
 1°*, 359; 2°, 444 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 66.)
- BILL (No. 75) Respecting the Midland Railway of Canada.—(Mr. *Hudspeth*.)
 1°*, 360; 2°, 444 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 65.)
- BILL (No. 76) To amend the Act respecting Sick and Distressed Mariners.—(Mr. *Foster*.)
 1°, 360 (i); 2°* and in Com., 643; 3°*, 644 (ii). (50-51 *Vic.*, c. 40.)
- BILL (No. 77) Respecting the Oxford Junction and New Glasgow Branch of the Intercolonial Railway.—(Mr. *Pope*.)
 Res. prop., 273; M. for Com., 302; in Com., 312; 1° of B., 361 (i); 2° m., 646; 2°, 649; in Com. and 3°*, 1028 (ii). (50-51 *Vic.*, c. 27.)
- BILL (No. 78) to incorporate "The Canada Accident and Indemnity Assurance Company."—(Mr. *Mulock*.)
 1°*, 370; 2°*, 444 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 106.)
- BILL (No. 79) To consolidate and amend the Acts relating to the Winnipeg and Hudson Bay Railway and Steamship Company, and to change the name thereof.—(Mr. *Scarth*.)
 1°*, 383; 2°*, 601; in Com. and 3°*, 1016 (ii). (50-51 *Vic.*, c. 81.)
- BILL (No. 80) To incorporate the South-Western Railway Company.—(Sir *Donald Smith*.)
 1°*, 383; 2°*, 539 (i).
- BILL (No. 81) To confirm and amend the Charter of incorporation of the Témiscouata Railway Company.—(Mr. *Grandbois*.)
 1°*, 383; 2°*, 539 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 71.)
- BILL (No. 82) To incorporate the Oshawa Railway and Navigation Company.—(Mr. *Smith, Ontario*.)
 1°*, 413; 2°*, 539 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 92.)
- BILL (No. 83) To incorporate the Loudonderry Iron Company.—(Mr. *Kenny*.)
 1°*, 413; 2°*, 539 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 121.)
- BILL (No. 84) Respecting the Edmonton and Saskatchewan Land Company (Limited).—(Mr. *Scarth*.)
 1°*, 413; 2°*, 601 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 117.)
- BILL (No. 85) To authorise and provide for the winding-up of the Pictou Bank.—(Mr. *Tupper*.)
 1°*, 413; 2°*, 539 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 54.)
- BILL (No. 86) Further to amend the Act to incorporate the South Saskatchewan Valley Railway Company.—(Mr. *Brown*.)
 1°*, 413; withdn., 601 (i).
- BILL (No. 87) To revive and amend the Charter of the Quebec and James' Bay Railway Company, and to extend the time for commencing and completing the Railway of the said Company.—(Mr. *Grandbois*.)
 1°*, 413; 2°*, 539 (i); in Com. and 3°*, 925 (ii). (50-51 *Vic.*, c. 70.)
- BILL (No. 88) To incorporate the Canadian Horse Insurance Company.—(Mr. *Small*.)
 1°*, 413; 2°*, 539 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 107.)
- BILL (No. 89) To incorporate the Niagara and Woodstock Railway Company.—(Mr. *Sutherland*.)
 1°* and 2°, 441 (i); in Com. and 3°*, 758 (ii). (50-51 *Vic.*, c. 85.)
- BILL (No. 90) To revive the Charter of the Quebec Railway Bridge Company, and to amend the same by extending the delay for commencement and completion of its works, and in other respects.—(Mr. *Grandbois*.)
 1°*, 441; 2°*, 601 (i); in Com. and 3°*, 925 (ii). (50-51 *Vic.*, c. 98.)
- BILL (No. 91) To amend "The Canada Temperance Act."—(Mr. *Tyrwhitt*.)
 1°, 442 (i).

- BILL (No. 92)** To amend the Acts relating to the Harbor Commissioners of Montreal.—(Mr. *Poster*.)
1° , 442 (i); 2°*, in Com. and 3°*, 1031 (ii). (50-51 *Vic.*, c. 42.)
- BILL (No. 93)** To amend the Act respecting the Department of Finance and the Treasury Board.—(Sir *John A. Macdonald*.)
1° , 442 (i); 2° , in Com. and 3°*, 884 (ii). (50-51 *Vic.*, c. 13.)
- BILL (No. 94)** To amend the Civil Service Act.—(Mr. *McNeill*.)
M. to introd. B., 413; 1° , 442 (i).
- BILL (No. 95)** To amend Chapter 127 of the Revised Statutes of Canada, intituled: "An Act respecting interest."—(Mr. *Landry*.)
1° , 443 (i).
- BILL (No. 96)** To incorporate the Dominion Oil Pipe Line and Manufacturing Company.—(Mr. *Mara*.)
1°*, 479; 2°*, 601 (i); in Com. and 3°*, 875 (ii). (50-51 *Vic.*, c. 122.)
- BILL (No. 97)** To authorise certain extensions of the Hamilton and North-Western Railway Company.—(Mr. *Brown*.)
1°*, 479; withdn., 601 (i).
- BILL (No. 98)** Respecting the Anglo-Canadian Bank.—(Mr. *Taylor*.)
1°*, 515; 2°*, 601 (i); in Com. and 3°*, 925 (ii). (50-51 *Vic.*, c. 53.)
- BILL (No. 99)** Respecting the Ottawa and Gatineau Valley Railway Company.—(Mr. *Wright*.)
1°*, 515 (i); 2°*, 638; in Com. and 3°*, 925 (ii) (50-51 *Vic.*, c. 74.)
- BILL (No. 100)** Respecting the Waterloo and Magog Railway Company.—(Mr. *Kirkpatrick*.)
1°*, 515; 2°*, 601 (i); in Com. and 3°*, 925 (ii). (50-51 *Vic.*, c. 68.)
- BILL (No. 101)** Respecting the Richelieu and Ontario Navigation Company.—(Mr. *Labelle*.)
1°*, 515; 2°*, 601 (i); in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 101.)
- BILL (No. 102)** To amend the Act incorporating the Pontiac Pacific Junction Railway Company.—(Mr. *Bryson*.)
1°*, 515 (i); 2°*, 876; M. to place on Orders of the Day, 1001; in Com., 1033; 3° , 1092 (ii). (50-51 *Vic.*, c. 73.)
- BILL (No. 103)** To incorporate the Cobourg, Blairton and Marmora Railway Company.—(Mr. *Guillet*.)
1°*, 515; 2° , 601 (i); in Com. and 3°*, 925 (ii). (50-51 *Vic.*, c. 87.)
- BILL (No. 104)** To incorporate the Canadian Power Company.—(Mr. *Taylor*.)
1°*, 515; 2°*, 601 (i); in Com. and 3°*, 925 (ii). (50-51 *Vic.*, c. 120.)
- BILL (No. 105)** To incorporate the Hereford Branch Railway Company.—(Mr. *Hall*.)
1°*, 515; 2°*, 601 (i); in Com. and 3°*, 925 (ii). (50-51 *Vic.*, c. 93.)
- BILL (No. 106)** To incorporate the *Standard Printing and Publishing Company*.—(Mr. *Small*.)
1°*, 515 (i); 2°*, 638; in Com. and 3°*, 850 (ii). (50-51 *Vic.*, c. 123.)
- BILL (No. 107)** To amend Chapter 33 of the Revised Statutes of Canada, respecting Duties of Customs.—(Sir *Charles Tupper*.)
1°*, 524 (i); 2°* and in Com., 1144; 3° m., 1152, 1200; 3°*, 1220 (ii). (50-51 *Vic.*, c. 39.)
- BILL (No. 108)** For the relief of Marie Louise Noel—(A *from the Senate*).—(Mr. *Small*.)
1° on a div., 804; 2° agreed to (Y. 81, N. 49) 876; in Com. and 3° on a div., 1016 (ii). (50-51 *Vic.*, c. 130.)
- BILL (No. 109)** Respecting "The Manitoba and North-Western Railway Company of Canada."—(Mr. *Scarth*.)
1°*, 524 (i); 2°*, 638; in Com. and 3°*, 925 (ii). (50-51 *Vic.*, c. 79.)
- BILL (No. 110)** Respecting the Saskatchewan and Western Railway Company.—(Mr. *Scarth*.)
1°*, 524 (i); 2° , 680; withdn., 889 (ii).
- BILL (No. 111)** To amend the Supreme and Exchequer Courts Act, and to make better provision for the Trial of Claims against the Crown.—(Mr. *Thompson*.)
1° , 524; Res. prop., 590 (i); 2° of B. m., 810; 2° , 814; Res in Com., 814; B. in Com., 873, 876; Res. conc. in, 834; B. in Com. and 3° on a div., 890; Sen. Amts. conc. in, 1222 (ii). (50-51 *Vic.*, c. 16.)
- BILL (No. 112)** For the protection of Railway Employés.—(Mr. *McCarthy*.)
1° , 589 (i).
- BILL (No. 113)** To amend the Dominion Lands Act.—(Mr. *White, Cardwell*.)
1° , 589 (i); 2° , 817; M. for Com., 890; in Com., 892; Order for consdn. of B., 1007; 3°*, 1017 (ii). (50-51 *Vic.*, c. 31.)
- BILL (No. 114)** To amend the Electoral Franchise Act.—(Mr. *Thompson*.)
1° , 589 (i); 2° m., 1222; 2° and in Com., 1227; 3° , 1228 (ii). (50-51 *Vic.*, c. 5.)
- BILL (No. 115)** To amend the Dominion Elections Act, and to remove doubts as to the right of certain persons to vote at elections of Members of the House of Commons.—(Sir *John A. Macdonald*.)
1° , 590 (i); 2° and in Com., 884; 3° , 1028 (ii). (50-51 *Vic.*, c. 6.)
- BILL (No. 116)** To amend the Act respecting the Department of Agriculture.—(Sir *John A. Macdonald*.)
1° , 590 (i); 2°*, in Com. and 3°*, 1031 (ii). (50-51 *Vic.*, c. 12.)
- BILL (No. 117)** Respecting the Western Counties Railway Company.—(Mr. *Mills, Annapolis*.)
1°*, 638; 2°*, 758; in Com. and 3°*, 1016 (ii). (50-51 *Vic.*, c. 77.)
- BILL (No. 118)** Respecting the Guelph Junction Railway Company.—(Mr. *Innes*.)
1°*, 638; 2°*, 876; in Com. and 3°*, 1016 (ii). (50-51 *Vic.*, c. 59.)

BILL (No. 119) To confer certain powers upon the St. Johns and Iberville Hydraulic and Manufacturing Company.—(Mr. *Coursol.*)
 1°*, 638; 2° m., 875; 2°, 876 (ii); withdn.

BILL (No. 120) Respecting the New Brunswick Railway Company.—(Mr. *Skinner.*)
 1°*, 638; 2°*, 758; in Com. and 3°*, 925 (ii). (50-51 *Vic., c. 76.*)

BILL (No. 121) To amend the Act respecting Canned Goods.—(Mr. *Costigan.*)
 1°*, 638; 2°*, in Com. and 3°*, 814 (ii). (50-51 *Vic., c. 38.*)

BILL (No. 122) Respecting the conveyance of Liquors on board Her Majesty's Ships in Canadian Waters.—(Mr. *Foster.*)
 1°, 638; 2°, in Com. and 3°*, 814 (ii). (50-51 *Vic., c. 46.*)

BILL (No. 123) Respecting the Defacing of Counterfeit Notes, and the use of Imitations of Notes.—(Mr. *Thompson.*)
 1°, 638; 2°* and in Com., 808; 3°*, 809 (ii). (50-51 *Vic., c. 47.*)

BILL (No. 124) Respecting the Ontario Pacific Railway Company.—(Mr. *Rykert.*)
 1°*, 667; 2°*, 876; in Com. and 3°*, 1016 (ii). (50-51 *Vic., c. 58.*)

BILL (No. 125) To incorporate the Manufacturers' Accident Insurance Company.—(Mr. *Small.*)
 1°*, 667; 2°*, 876; in Com. and 3°*, 925 (ii). (50-51 *Vic., c. 105.*)

BILL (No. 126) To amend "The Dominion Controverted Elections Act."—(Mr. *Thompson.*)
 1°, 707; 2°* and in Com., 809; 3°*, 810 (ii). (50-51 *Vic., c. 7.*)

BILL (No. 127) To amend the North-West Territories Act.—(Mr. *Thompson.*)
 1°, 708; 2°*, in Com. and 3°*, 809 (ii). (50-51 *Vic., c. 28.*)

BILL (No. 128) To enable the Western Canada Loan and Savings Company to extend their business, and for other purposes.—(Mr. *McCarthy.*)
 1°*, 782; 2°*, 785; in Com. and 3°*, 925 (ii). (50-51 *Vic., c. 109.*)

BILL (No. 129) Respecting the Primitive Methodist Colonisation Company (limited)—(F) from the Senate.—(Mr. *Small.*)
 1°* and 2°*, 924; in Com. and 3°*, 1016 (ii). (50-51 *Vic., c. 119.*)

BILL (No. 130) To incorporate the Teeswater and Inverhuron Railway Company—(D) from the Senate.—(Mr. *Cargill.*)
 1°*, 745; 2°*, 785; in Com., and 3°*, 925 (ii). (50-51 *Vic., c. 90.*)

BILL (No. 131) Respecting the Nova Scotia Permanent Benefit Building Society and Savings Fund.—(Mr. *Tupper, Pictou.*)
 1°*, 782; 2°*, 876; in Com. and 3°*, 1142 (ii). (50-51 *Vic., c. 114.*)

BILL (No. 132) Further to amend the Act incorporating the Canada Atlantic Railway Company.—(Mr. *Perley, Ottawa.*)
 1°*, 782; 2°*, 876; in Com. and 3°*, 1016 (ii). (50-51 *Vic., c. 67.*)

BILL (No. 133) Respecting the Manitoba South-Western Colonisation Railway.—(Mr. *Haggart.*)
 1°*, 782; 2°*, 876; in Com. and 3°*, 1016 (ii). (50-51 *Vic., c. 80.*)

BILL (No. 134) To enable the St. Martin's and Upham Railway Company to sell its railway and property.—(Mr. *Skinner.*)
 1°*, 782; 2°*, 876; in Com. and 3°*, 1016 (ii). (50-51 *Vic., c. 75.*)

BILL (No. 135) For the relief of Susan Ash—(B) from the Senate.—(Mr. *Small.*)
 1° on a div., 804; 2° m., 1017; 2° agreed to (Y. 50, N. 42). 1028; in Com., 1137; 3° m., Amt. (Mr. *McCarthy*) to recom., neg. (Y. 35, N. 85) 1141; M. for 3° neg. (Y. 56, N. 61) 1142; M. to place on Order paper for 3°, 1155; 3° m., 1220; recom. and 3° on a div., 1221 (ii). (50-51 *Vic., c. 127.*)

BILL (No. 136) To confer certain powers on Boards of Trade as to the licensing of Weighers.—(Mr. *Costigan.*)
 1°, 804; 2°*, in Com. and 3°*, 1121 (ii). (50-51 *Vic., c. 37.*)

BILL (No. 137) Respecting the payment of Interest by the Crown.—(Mr. *Thompson.*)
 1°, 804; withdn., 1121 (ii).

BILL (No. 138) To provide for the payment of a yearly allowance to Godefroi Laviolette, late Warden of the Penitentiary of St. Vincent de Paul.—(Mr. *Thompson.*)
 Res. prop., 111 (i); in Com., 805; 1°* of B., 808; 2° and in Com., 88; 3°*, 890 (ii). (50-51 *Vic., c. 44.*)

BILL (No. 139) To provide for an additional Subsidy to the Province of Prince Edward Island.—(Sir *Charles Tupper.*)
 Res. prop., 708; in Com., 814; 1°* of B., 817; 2°*, in Com. and 3°*, 1029 (ii). (50-51 *Vic., c. 8.*)

BILL (No. 140) In addition to the Revised Statutes, Chapter six, respecting Representation in the House of Commons.—(Mr. *Thompson.*)
 1°, 839; 2°*, in Com. and 3°*, 1121 (ii). (50-51 *Vic., c. 4.*)

BILL (No. 141) To amend the Revised Statutes, Chapter thirty-nine, respecting the Expropriation of Lands.—(Mr. *Thompson.*)
 1°, 862; Res. prop., 952; conc. in, 1033; 2° and in Com., 1033; 3°*, 1121 (ii). (50-51 *Vic., c. 17.*)

BILL (No. 142) for the protection of Laborers on board Vessels.—(Mr. *Amyot.*)
 1°, 862 (ii).

BILL (No. 143) To enable the Canada Permanent Loan and Savings Company to extend their business, and for other purposes—(I) from the Senate.—(Mr. *Cochburn.*)
 1°*, 876; 2°*, 926; in Com., 1142; 3°*, 1221 (ii). (50-51 *Vic., c. 108.*)

- BILL (No. 144) For the relief of John Monteith—(*J*) from the Senate.—(Mr. O'Brien.)
1° , 876 ; 2° on a div., 926 ; in Com. and 3° on a div., 1016 (ii). (50-51 Vic., c. 129.)
- BILL (No. 145) For the relief of Fanny Margaret Riddell.—(*J*) from the Senate.—(Mr. Tupper, Pictou.)
1° on a div., 884 ; 2° on a div., 926 ; in Com. and 3° on a div., 1017 (ii). (50-51 Vic., c. 131.)
- BILL (No. 146) to amend "The Speedy Trials Act," Chapter one hundred and seventy-five of the Revised Statutes.—(Mr. Thompson.)
1° , 924 ; 2°*, in Com. and 3°*, 1032 (ii). (50-51 Vic., c. 51.)
- BILL (No. 147) To amend the North-West Territories Act ; — (Mr. MacDowall.)
1° , 924 (ii).
- BILL (No. 148) To provide for the improvement and management of the Harbor of Sorel.—(Mr. Labelle.)
1°*, 925 (ii).
- BILL (No. 149) to amend the Act to incorporate the Kin-cardine and Teeswater Railway Company.—(Mr. Kirkpatrick.)
1° , 2°* and 3° , 926 (ii). (50-51 Vic., c. 84.)
- BILL (No. 150) To incorporate the Royal Victoria Hospital —(*M*) from the Senate.—(Mr. Curran.)
1°* and 2°*, 951 ; in Com. and 3°*, 1142 (ii). (50-51 Vic., c. 125.)
- BILL (No. 151) To incorporate the Canada Atlantic Steamship Company.—(Mr. Tupper, Pictou.)
1° and 2°*, 1001 ; in Com. and 3°*, 1142 (ii). (50-51 Vic., c. 99.)
- BILL (No. 152) To amend the General Inspection Act.—(Mr. Costigan.)
1° and 2°*, 1001 ; in Com., 1120 , 3°*, 1121 (ii). (50-51 Vic., c. 36.)
- BILL (No. 153) To amend "The Immigration Act"—(*Q*) from the Senate.—(Mr. Bowell.)
1°*, 1028 ; 2°*, in Com. and 3°*, 1228 (ii). (50-51 Vic., c. 34.)
- BILL (No. 154) To amend the Revised Statutes, Chapter fifty-one, respecting Real Property in the Territories —(*N*) from the Senate.—(Mr. Thompson.)
1°*, 1028 ; 2°*, in Com. and 3°*, 1228 (ii). (50-51 Vic., c. 30.)
- BILL (No. 155) For the relief of William Arthur Lavell —(*H*) from the Senate.—(Mr. Ferguson, Leeds.)
1° and 2° on a div., 1028 ; in Com. and 3° on a div., 1137 (ii). (50-51 Vic., c. 128.)
- BILL (No. 156) To enable the Freehold Loan and Savings Company to extend their business.—(Mr. Hall.)
1° , 2°* and 3°*, 1028 (ii). (50-51 Vic., c. 112.)
- BILL (No. 157) To confirm a certain agreement between Her Majesty and the Western Counties Railway Company, and for other purposes.—(Mr. Pope.)
Res. prop., 591 (i) ; in Com. and 1°* of B., 1031 ; 2° m., 1127 ; 2° , in Com. and 3°*, 1129 (ii). (50-51 Vic., c. 25.)
- BILL (No. 158) To authorise the advance of certain sums of money to the Harbor Commissioners of Quebec, to complete the Graving Dock and other improvements in said harbor.—(Sir Charles Tupper)
Res. prop., 592 (i) ; M. for Com., 1031 ; in Com. and 1°* of B., 1032 ; 2°*, 1124 ; in Com., 1125 ; 3°*, 1127 (ii). (50-51 Vic., c. 41.)
- BILL (No. 159) To amend Chapter two of the Revised Statutes of Canada, intituled: "An Act respecting the publication of the Statutes."—(Mr. Chapleau.)
1° , 1033 ; 2°*, 1121 ; in Com., 1122 ; 3° on a div., 1124 (ii). (50-51 Vic., c. 2.)
- BILL (No. 160) To amend The Indian Act—(*O*) from the Senate.—(Sir John A Macdonald.)
1°*, 1033 ; 2°* and in Com., 1228 ; 3°*, 1229 (ii). (50-51 Vic., c. 33.)
- BILL (No. 161) To amend an Act to authorise the grant of certain Subsidies in land for the construction of the railways therein mentioned.—(Mr. White, Cardwell.)
1° , 2°*, in Com. and 3°*, 1074 (ii). (50-51 Vic., c. 22.)
- BILL (No. 162) To amend the Revised Statutes, Chapter 173, respecting Threats, Intimidations and other Offences.—(Mr. Thompson.)
1° , 1075 ; 2° m., 1152 ; deb. adjd., 1155 ; deb. rsmd, 2° and in Com., 1229 ; 3° on a div., 1233 (ii). (50-51 Vic., c. 49.)
- BILL (No. 163) Respecting the Council of the North-West Territories.—(Sir John A. Macdonald.)
1° , 1075 ; 2°*, in Com. and 3° on a div., 1233 (ii). (50-51 Vic., c. 29.)
- BILL (No. 164) To authorise the grant of certain Subsidies in land for the construction of the Railways therein named.—(Mr. White, Cardwell.)
Res. prop. and in Com., 1117 ; 1°* and 2°* of B., 1120 ; in Com. and 3°*, 1221 (ii). (50-51 Vic., c. 23.)
- BILL (No. 165) to provide for advances to be made by the Government of Canada to the Fredericton and Saint Mary's Railway Bridge Company.—(Sir Charles Tupper)
Res. prop., 862 ; in Com., 1029 ; conc. in and 1°*, 2°*, in Com. and 3°* of B., 1120 (ii). (50-51 Vic., c. 26.)
- BILL (No. 166) to amend Chapter one hundred and thirty-eight of the Revised Statutes, respecting the Judges of Provincial Courts.—(Mr. Thompson.)
Res. prop., 862 ; in Com., 1°*, 2°*, in Com. and 3°* of B., 1127 (ii). (50-51 Vic., c. 15.)
- BILL (No. 168) respecting the improvement of the River St. Lawrence.—(Sir Charles Tupper.)
Res. prop., 1142 ; in Com., 1156 ; 1°*, 2°*, in Com., and 3°* of B., 1159 (ii). (50-51 Vic., c. 43.)
- BILL (No. 169) for granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service, for the years ending respectively the 30th June, 1887, and the 30th June, 1888, and for other purposes relating to the Public Service.—(Sir Charles Tupper.)
1°*, 2°* and 3°*, 1273 (ii). (50-51 Vic., c. 1.)

- BILL (No. 170) to authorise the granting of Subsidies in aid of the construction of lines of Railway therein mentioned.—(Mr. Pope.)**
 Res. prop., 1142; in Com., 1249; 1°* add 2°* of B. in Com. and 3°*, 1266 (ii). (50-51 Vic., c. 170.)
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CANADA ACCIDENT AND INDEMNITY ASSURANCE CO.

— ATLANTIC STEAMSHIP CO.

— PERMANENT LOAN AND SAVINGS CO.

CANADIAN POWER CO.

— HORSE INS. CO.

— SOCIETY OF CIVIL ENGINEERS.

COMPANIES' ACT AMT.

DOM. OIL PIPE LINE AND MANUFACTURING CO.

EASTERN CAN. SAVINGS AND LOAN CO.

EDMONTON AND SASKATCHEWAN LAND CO.

"EMPIRE" PRINTING AND PUBLISHING CO.

EQUITY INS. CO.

FREDERICTON AND ST. MARY'S BRIDGE CO.

FREEHOLD LOAN AND SAVINGS CO.

GRANGE TRUST CO.

GUARANTEE AND PENSION FUND SOCIETY OF DOM. BANK.

HALIFAX AND WEST INDIES STEAMSHIP CO.

IMPERIAL TRUSTS CO. OF CAN.

LONDONDERRY IRON CO.

MANUFACTURERS' LIFE AND ACCIDENT INS. CO.

— ACCIDENT INS. CO.

NIAGARA RIVER BRIDGE CO.

NOVA SCOTIA PERMANENT BENEFIT BUILDING SOCIETY, &c.

ONTARIO AND QU'APPELLE LAND CO.

PENSION FUND SOCIETIES, &c.

PRIMITIVE METHODIST COLONISATION CO.

RICHELIEU AND ONTARIO NAVIGATION CO.

"STANDARD" PRINTING AND PUBLISHING CO.

ST. JOHN AND IBERVILLE HYDRAULIC AND MANUFACTURING CO.

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 ——— OBSTRUCTIONS : M. for Ret.* (Mr. *Robillard*) 803 (ii).
 SAUGEN INDIAN AGENT : M. for R. t. (Mr. *Somersville*) 314 (i).
 SETTLER'S CLAIMS IN DISPUTED TERRITORY : M. for Ret.* (Mr. *Dawson*) 803 (ii).
 SIX NATION INDIANS, CLAIM OF : M. for Ret.* (Mr. *Paterson, Brant*) 206 (i).
 TIMBER AND MINING LICENSES IN DISPUTED TERRITORY : M. for Ret.* (Mr. *Dawson*) 803 (ii).
 TRENT RIVER, BOOMS AND PIERS, REPAIRS : Ques. (Mr. *Mallory*) 708 (ii).
 WELLBANKS, D., COMPLAINTS AGAINST : M. for Ret.* (Mr. *Platt*) 803 (ii).
 WELLINGTON HARBOR OF REFUGE : M. for Ret. (Mr. *Platt*) 369 (i).
 WHITE FISH RIVER INDIAN RESERVE : M. for Ret. (Mr. *Barron*) 802 (ii).
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 ORDER :
 DEBATE ON WAYS AND MEANS : Objection taken by Mr. *McMullen* to members discussing other subjects than the items before the Chair, 486 (i).
 DIGNITY AND DECORUM IN DEBATE : Ruled (Mr. *Speaker*) deb. need not be allowed on point of order, same not being consistent with the dignity of the House; deb. allowed only on a question of procedure, where opinions on parliamentary practice may be given, 1011 (ii).
 DIGRESSION FROM DEBATE : Member requested to confine himself to question before the House (Mr. *Speaker*) 316 (i).
 HOME RULE FOR IRELAND : Objection taken by Mr. *Wallace* to certain unparliamentary expressions; Mr. *Speaker* called upon member to withdraw same, 66 (i).
 IMPUTATION OF MOTIVES : Objection (Mr. *Somersville*); Remarks (Mr. *Speaker*) 315 (i).
 INDEPENDENCE OF MEMBERS : Member's remarks in deb. on Dom-Lands Act challenged and ruled out of order by the Acting *Speaker*, 1010 (ii).
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- MISQUOTING NEWSPAPER EXTRACT** : Objection taken and Member's attention arrested by Mr. *Speaker* to subject before the House, 1014 (ii).
- MISREPRESENTATION** : Member called on to withdraw statement or substantiate same by records; Ruled (Mr. *Speaker*) assertion may not be sustained in point of fact by argument or public records, therefore no question of Order, 1012 (ii).
- PERSONAL EXPLANATIONS** : If a point in a Member's speech has been misunderstood, an explanation is allowed (Mr. *Speaker*) 32 (i).
- PREVIOUS DEBATE** : Reference to objected to; Ruled (Mr. *Speaker*) not allowed according to Rules of House, 40, 474 (i).
- PROHIBITION** : Amt. (Mr. *Sproule*) compensation to those engaged in liquor trade, objected to by Mr. *Mills (Bothwell)* as irrelevant to question before the House; Ruled (Mr. *Speaker*) in order, Amt., although vague, bearing on subject-matter before the House, 949 (ii).
- Amt. to Amt. (Mr. *Fisher*) to add compensation to dealers to Main Motion questioned by Mr. *Moncrieff*; declared pertinent to Res. by *Deputy Speaker*, 950 (ii).
- QUESTIONS** : Members have a right to ask questions (Mr. *Speaker*) 615 (ii).
- RELEVANCY OF DEBATE** : Questioned by Mr. *Denison* and remarks declared pertinent to question before the Chair, 997 (i).
- Remarks (Mr. *Speaker*) on closing of debate on Home Rule, 140 (i).
- RETURNING OFFICERS** : Personal allusions ruled not in Order (Mr. *Speaker*) 36 (i).
- SENATE, MEMBERS OF THE** : Expressions respecting Upper Chamber challenged by Mr. *McNeill*; considered objectionable by Mr. *Speaker*, and should not be used towards that body as forming part of Parliament, 200 (i).
- UNPARLIAMENTARY EXPRESSION** : Challenged by Mr. *Mitchell*, and declared by the Chairman an interjection and not addressed to any Member of the House, 998 (ii).
- UNPARLIAMENTARY EXPRESSIONS AND CONDUCT** : Reproofs (Mr. *Speaker*) 66, 110, 180, 298, 333, 353, 374 (i), 619, 704 (ii).
- UNSEEMLY NOISES** : Mr. *Speaker* declares he will have to name certain members if they do not desist, 943 (ii).
- VOTE ON DISALLOWANCE** : Unparliamentary expression; Ruled (Mr. *Speaker*) no member has a right to qualify a vote as an infamy, 703; ruling, 704 (ii).
- PRIVILEGE** :
- ADJOURNMENT** : Remarks (Mr. *Shakespeare*) on paragraph in *Citizen* respecting rumored adjournment for one week, 224 (i).
- CLERK OF CROWN IN CHANCERY AND GAZETTING RETURNS** : Attention of House drawn to by Mr. *Mills (Bothwell)* 23. See general heading.
- COMBICION AND CANAL LABORERS** : Personal explanation (Mr. *Curran*) and denial of statement in *Free Press*, 360 (i).
- CORNWALL FLOODS** : Personal explanation (Mr. *Bergin*) re distribution of Govt. grant for relief, 1238 (ii).
- "DEBATES," OFFICIAL REP.** : Supposed error and comparison with newspaper report (Mr. *Kenny*) 784 (ii).
- Proceedings before Committee, and paragraph in *Man. Sun* re speech of Mr. *Watson* on Disallowance; Member asked by Mr. *Speaker* to state question of privilege, and deb. on same not allowed, 1156 (ii).
- DIVISION LIST** : Attention of House called to omission of Mr. *Purcell's* name (Mr. *Bergin*) 615 (ii).
- DIVISION ON DISALLOWANCE** : Omission of Mr. *Mitchell's* name from List in Votes and Proceedings; Clerk ordered by Mr. *Speaker* to amend same by an erratum, 588 (i).
- DISALLOWANCE** : Personal explanation (Mr. *Scarth*) re Rep. of speech in *Globe*, 615 (ii).
- DOM. LANDS ACT AMT.** : Personal explanation (Mr. *Davin*) on newspaper extract read by Mr. *Landerkin*, 1015 (ii).
- FISHERIES NEGOTIATIONS** : Explanation (Sir *Charles Tupper*) re report in *Toronto Mail* of interview with Secretary Bayard at Washington, 781 (ii).
- PAIRING OF MEMBERS** : Personal explanations, Messrs. *Welsh, Tupper (Piatou), Bowman* and *Carking*, 360 (i).

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PROCEDURE :

- CAN. TEMP. ACT** : Amt. (Mr. *Girouard*) to Res. on Prohibition questioned by Mr. *Armstrong* as being not in Order, as it recommended an Amt. to the above Act, exempting beer, porter, &c., and light wines; Ruled (Mr. *Deputy Speaker*) that the Amt. is relevant to the proposition contained in the Res. before the House, 846 (ii).
- Amt. to Amt. (Mr. *Cargill*) to Res. on Prohibition objected to by Mr. *Jamieson*, the same being not relevant to the subject-matter of the Res. before the House, 851; Ruled (Mr. *Speaker*) in Order and May quoted, 852 (ii).
- Attention of Mr. *Speaker* called by Mr. *Mills (Bothwell)* to B. on Order Paper to repeal the Can. Temp. Act and the Amt. of Mr. *Cargill*, of the same effect, to Res. on Prohibition; previous ruling sustained by Mr. *Speaker*, 858 (ii).
- CIVIL SERVICE ACT AMT.** : Prop. M. (Mr. *McNeill*) to introduce B.; Ruled (Mr. *Speaker*) notice must be given, 413 (i).
- DIVORCE—ASH, SUSAN, RELIEF B.** : Ques. asked by Mr. *Davis* respecting the printing of the evidence; Mr. *Speaker* stated that it was not the usual practice to have same printed, 804 (ii).
- GOV. GEN.'S RECEPTION** : M. to adjn. objected to by Mr. *Blake* and sustained by Mr. *Speaker*, 543 (i).
- HOME RULE FOR IRELAND** : Prop. Amt. as a substitute for main motion; Ruled (Mr. *Speaker*) Member cannot amend his own motion; but cases having arisen in England, where the original motion was withdrawn, with unanimous consent of the House it may be presented in a new form, 140 (i).
- JUDGES, REFLECTIONS ON** : Member called to Order by Mr. *Speaker* for speaking disrespectfully of Judges, and ruled unparliamentary, 373 (i).
- MORTGAGES** : Prop. M. (Mr. *McMullen*) to introd. B.; Ruled (Mr. *Speaker*) notice must be given, 111 (i).
- OXFORD AND NEW GLASGOW BRANCH RAILWAY** : 2° objected to by Mr. *Mills (Bothwell)*; Ruled (Mr. *Speaker*) that the expenditure provided for in the B. is covered by Res., 649 (ii).
- PAIRING OF MEMBERS** : Ruled (Mr. *Speaker*) Members pairing outside of the cognizance of the Whips will not be recognised by the House, and personal explanations in future will not be allowed on that ground, 360 (ii).
- PARLIAMENTARY PRACTICE** : Deb. allowed on a question of Procedure, and *Speaker's* duty to call for the opinions of those experienced in same, 1011 (ii).
- PONTIAC AND PACIFIC JUNCTION RY.** : M. to place on Orders of the Day for a certain day objected to by Mr. *White (Renfrew)* and sustained by Mr. *Speaker*, 1001 (ii).
- RETURNS** : Ques. asked and converted into a motion for a Return can only be put by unanimous consent of the House; objected to by Mr. *Amyot* and sustained (Mr. *Speaker*) 1199 (ii).
- UPPER COLUMBIA RY. CO.** : On M. for 2°, attention of Mr. *Speaker* called to B. not being printed in French; B. cannot be read without unanimous consent of the House, 320 (i).
- OPIUM, DRUG.** in Com. on Ways and Means, 964 (ii).
- OSHAWA RY. AND NAVIGATION CO.'S SUBSIDY** : prop. Res. (Mr. *Pope*) 1143; in Com., 1261 (ii).
- Oshawa Ry. and Navigation Co.'s incorp. B. No. 82** (Mr. *Smith, Ontario*). 1°, 413; 2°, 539 (i); in Com. and 3°, 850 (ii). (50-51 *Vic.*, c. 92.)
- OTTAWA, ADDITIONAL BLOCK** : in Com. of Sup., 916 (ii).
- Ottawa and Gatineau Ry. Co.'s B. No. 99** (Mr. *Wright*). 1°, 515 (i); 2°, 638; in Com. and 3°, 925 (ii). (50-51 *Vic.*, c. 74.)
- OTTAWA COLLEGE MILITARY DRILL** : Ques. (Mr. *Wallace*) 1033 (ii).
- Oxford Junction and New Glasgow Branch of the I.C.R. B. No. 77** (Mr. *Pope*). Res. prop., 273; M. for Com., 302; in Com., 312; 1° of B., 361 (i); 2°m., 646; 2°, 649; in Com. and 3°, 1028 (ii). (50-51 *Vic.*, c. 27.)

- PACIFIC MAIL SERVICE : Ques. (Mr. *Edgar*) 278 (i).
- PAINTING, &C., PUBLIC BUILDINGS, OTTAWA, AMOUNTS PAID :
M. for Stmt. (Mr. *Holton*) 144; (Mr. *Bryson*) 369 (i).
- PAIRING OF MEMBERS : Remarks (Mr. *Davies*, and others) 358; (Mr. *Speaker*) 358; Ruling, 360 (i).
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- "PARLIAMENTARY COMPANION" : in Com. of Sup., 1189 (ii).
- "PATENT RECORD" : in Com. of Sup., 717 (ii).
- PEARCE, WM., D.L.S. See "BANFF SPRINGS."
- PELEE ISLAND AND MAINLAND CABLE : Ques. (Mr. *Brien*) 786 (ii).
- PENETANGUISHENE HARBOR IMPROVEMENTS : Ques. (Mr. *O'Brien*) 1004 (ii).
- Penitentiary Act Amt. (reorganisation of salaries) B. No. 65 (Mr. *Thompson*). Res. prop., 223; in Com., 274; 1° of B., 301 (i); 2° and in Com., 641; 3°, 642 (ii). (50-51 *Vic.*, c. 52.)
- PENITENTIARIES :
B. C. : in Com. of Sup., 660 (ii).
CLOTH AND FLANNEL SUPPLY : Ques. (Mr. *Baker*) 14 (i).
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DUFFY, D. A., CLAIMS OF, re DORCHESTER PENITENTIARY : M. for Ret.* (Mr. *Weldon*, *St. John*) 803 (ii).
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- Pension Fund Societies, B. No. 52 (Mr. *Hall*).
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- PENSIONS, MILITIA, &C. : in Com. of Sup., 746; conc., 1267 (ii).
—— MOUNTED POLICE : Ques. (Mr. *Davin*) 16 (i).
—— REBELLION OF 1885, ON ACCOUNT OF : in Com. of Sup., 746; conc., 1267 (ii).
- PERMITS. See "LIQUOR."
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- PICKLES IN BOTTLES : conc. in Ways and Means, 435 (i).
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- PICTON AND MILFORD MAIL CARRIER, CHARGES AGAINST : M. for Ret.* (Mr. *Platt*) 803 (ii).
- PICTON PUBLIC BUILDINGS : Ques. (Mr. *Platt*) 321 (i).
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- PICTURES, SHOW CARDS, &C. : conc. in Ways and Means, 426 (i).
- PIERS IN P. E. I. : Ques. (Mr. *Welsh*) 669 (ii).
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- PINETTE, P. E. I., HARBOR, DREDGING : M. Cor. (Mr. *Welsh*) 146 (i).
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- POINT DU PÈRE BREAKWATER : M. for Ret.* (Mr. *Fiset*) 803 (ii).
- Pontiac Pacific Junction Ry. Co.'s Act Amt. B. No. 102 (Mr. *Bryson*). 1°, 515 (i); 2°, 876; M. to place on Orders of the Day, 1001; in Com., 1088; 3°, 1092 (ii). (50-51 *Vic.*, c. 73.)
- PORT ARTHUR HARBOR, &C., CONSTRUCTION : in Com. of Sup., 916 (ii).
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- PORT MULGRAVE TO EAST BAY STEAMSHIP SUBSIDY : in Com. of Sup., 991 (ii).
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